

CODIFIED ORDINANCES OF GRAND BLANC

PART FOURTEEN - BUILDING AND HOUSING CODE

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TITLE TWO - Building Standards

- Chap. 1410. Michigan Building Code.
- Chap. 1412. Stille-DeRossett-Hale Single State Construction Code Act.
- Chap. 1414. Property Maintenance Code.
- Chap. 1416. Electrical Code, Mechanical Code and Plumbing Code.

TITLE FOUR - Miscellaneous Building Regulations

- Chap. 1440. Flood Damage Prevention.
- Chap. 1456. Licensing of Residential Builders.
- Chap. 1460. Numbering of Buildings.
- Chap. 1480. Signs.
- Chap. 1484. Smoke Detectors.
- Chap. 1486. Telecommunications Systems and Services.
- Chap. 1488. Blight.

TITLE SIX - Housing

- Chap. 1490. Supplied Facilities, Maintenance and Occupancy of Dwellings and Dwelling Units. (Repealed)

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CHAPTER 1410

Michigan Building Code

1410.01 Enforcing agency designated.

CROSS REFERENCES

Adoption of technical codes by reference - see M.C.L.A. Sec. 117.3(k)

State Construction Code - see M.C.L.A. Secs. 125.1501 et seq.;

B. & H. Ch. 1412

Building and Zoning Administrator - see ADM. Ch. 242; B. & H.

1480.17, 1480.20

Compliance of commercial buildings with City regulations - see

B.R. & T. 802.09

Moving of buildings - see S.U. & P.S. 1024.05

Building sewers - see S.U. & P.S. 1040.04

Licensing of residential builders - see B. & H. Ch. 1456

Numbering of buildings - see B. & H. Ch. 1460

Compliance of signs with Building Code - see B. & H. 1480.14

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#### 1410.01 ENFORCING AGENCY DESIGNATED.

Pursuant to Section 8b(6) of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, M.C.L.A. 125.1508b(6), the City of Grand Blanc hereby elects to administer and enforce the 1972 PA 230 and the Michigan Building Code. The City of Grand Blanc shall also administer and enforce the respective provisions of the Michigan Residential, Rehabilitation, and Uniform Energy Codes and all applicable laws and ordinances. A government official registered in accordance with 1986 PA 54 shall be appointed to receive all fees, issue permits, plan reviews, notices, orders, and certificates of use and occupancy. All personnel performing plan reviews and inspections shall be registered in accordance with 1986 PA 54.

(Ord. 2013-02. passed 5-8-13.)

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CHAPTER 1412

Stille-DeRossett-Hale Single State Construction Code Act

1412.01 Adoption by reference.

CROSS REFERENCES

Adoption of technical codes by reference - see M.C.L.A. Sec. 117.3(k)

State Construction Code - see M.C.L.A. Secs. 125.1501 et seq.

Building and Zoning Administrator - see ADM. Ch. 242; B. & H.  
1480.17, 1480.20

Compliance of commercial buildings with City regulations - see  
B.R. & T. 802.09

Michigan Building Code; enforcing agency designated - see B. & H. Ch. 1410

Moving of buildings - see S.U. & P.S. 1024.05

Building sewers - see S.U. & P.S. 1040.04

Licensing of residential builders - see B. & H. Ch. 1456

Numbering of buildings - see B. & H. Ch. 1460

Compliance of signs with Building Code - see B. & H. 1480.14

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1412.01 ADOPTION BY REFERENCE.

(a) Adoption by Reference. The Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, M.C.L.A. 125.1501 et seq., and all future amendments and revisions, as of the effective date are hereby incorporated and adopted by reference.

(b) Reference. References in the Stille-DeRossett-Hale Single State Construction Code Act to a Agovernment@ or Agovernment unit@ shall mean the City of Grand Blanc.

(Ord. 2013-03. Passed 5-8-13.)



2013 Replacement





CHAPTER 1414  
Property Maintenance Code

1414.01 Adoption by reference.

1414.02 Amendments.

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1414.01 ADOPTION BY REFERENCE.

A certain document, three copies of which are on file in the office of the City Clerk, being marked and designated as the International Property Maintenance Code of the City of Grand Blanc, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 1414.02.

(Ord. 04-06. Passed 1-12-05.)

1414.02 AMENDMENTS.

The following sections are hereby revised:

Section 101.1. Insert: City of Grand Blanc

Section 101.2. Delete Section and insert the following:

"The provisions of this code shall apply to 3-unit or more multiple family rental properties and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from

fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties."

Section 105.5. Insert: [Fees to be set by Resolution of City Council]

Section 111.2. Delete the first sentence and insert the following:

"The members of the board of appeals shall be the same as the City Council."

Section 111.2.1. Delete second sentence.

Section 111.6.1. Delete second sentence and insert the following:

"Copies shall be provided to the code official and, upon request, copies shall be furnished to the appellant."

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Section 202. Insert the following definition:

"MULTIPLE FAMILY DWELLING. A group of three (3) or more dwelling units."

Section 202. Delete the definition for "INOPERABLE MOTOR VEHICLE".

Section 302.4. Delete this Section.

Section 302.8. Delete this Section.

Section 304.3. Delete this Section.

Section 305.1. Delete the third sentence and insert the following:

"Every owner of a structure, multiple family dwelling, rooming house, housing units, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property."

Section 304.14. Insert: [April 15 to October 15]

Section 308.3. Delete this Section.

Section 308.4. Delete first sentence and insert the following:

"The owner of a multiple family dwelling shall be responsible for extermination in the public or shared areas of the structure and exterior property."

Section 401.2. Delete first sentence and insert the following:

"The owner of the multiple family dwelling shall provide and maintain light, ventilation and space conditions in compliance with these requirements."

Section 404.1. Delete this Section and insert the following:

"Dwelling units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces."

Section 404.3. Delete exceptions one (1) and two (2) of this Section.

Section 503.1. Delete Section and insert the following:

"Toilet rooms and bathrooms serving rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway".

Section 602.3. Insert: [September 15 to May 15]

Section 602.4. Insert: [September 15 to May 15]

(Ord. 04-06. Passed 1-12-05.)

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## CHAPTER 1416

## Electrical Code, Mechanical Code and Plumbing Code

General ProvisionsDesignation of Enforcement Agency

1416.01	Adoption of Electrical Code.	1416.10	Agency designated.
1416.02	Michigan Mechanical Code; enforcing agency designated.	1416.11	Enforcement.
1416.03	Michigan Plumbing Code; enforcing agency designated.		

## CROSS REFERENCES

Adoption of technical codes by reference - see M.C.L.A. Sec. 117.3(k)

State Construction Code - see M.C.L.A. Secs. 125.1501 et seq.

Building and Zoning Administrator - see ADM. Ch. 242; B. & H.

1480.17, 1480.20

Compliance of commercial buildings with City regulations - see

B.R. & T. 802.09

Michigan Building Code; enforcing agency designated - see B. & H. Ch. 1410

Moving of buildings - see S.U. & P.S. 1024.05

Building sewers - see S.U. & P.S. 1040.04

Licensing of residential builders - see B. & H. Ch. 1456

Numbering of buildings - see B. & H. Ch. 1460

Compliance of signs with Building Code - see B. & H. 1480.14

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GENERAL PROVISIONS



1416.01 ADOPTION OF ELECTRICAL CODE.

A certain code, three copies of which are on file in the office of the City of Grand Blanc, being marked and designated as NFPA 70, National Electrical Code, 2008 Edition as published by the National Fire Protection Association, be and is hereby adopted as the Electrical Code of the City of Grand Blanc in the State of Michigan; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of the said NFPA 70, National Electric Code, 2008 Edition are hereby referred to, adopted and made a part hereof, as if fully set out in this section. (Ord. 2013-04. passed 5-8-13.)

1416.02 MICHIGAN MECHANICAL CODE; ENFORCING AGENCY DESIGNATED.

Pursuant to Section 8b(6) of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, M.C.L.A. 125.1508b(6), the City of Grand Blanc hereby elects to administer and enforce the 1972 PA 230 and the Michigan Mechanical Code. The City of Grand Blanc shall also

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administer and enforce the respective provisions of the Michigan Residential, Rehabilitation, and Uniform Energy Codes and all applicable laws and ordinances. A government official registered in accordance with 1986 PA 54 shall be appointed to receive all fees, issue permits, plan reviews, notices, orders, and certificates of use and occupancy. All personnel performing plan reviews and inspections shall be registered in accordance with 1986 PA 54.

(Ord. 2013-05. Passed 5-8-13.)

#### 1416.03 MICHIGAN PLUMBING CODE; ENFORCING AGENCY DESIGNATED.

Pursuant to Section 8b(6) of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, M.C.L.A. 125.1508b(6), the City of Grand Blanc hereby elects to administer and enforce the 1972 PA 230 and the Michigan Plumbing Code. The City of Grand Blanc shall also administer and enforce the respective provisions of the Michigan Residential, Rehabilitation, and Uniform Energy Codes and all applicable laws and ordinances. A government official registered in accordance with 1986 PA 54 shall be appointed to receive all fees, issue permits, plan reviews, notices, orders, and certificates of use and occupancy. All personnel performing plan reviews and inspections shall be registered in accordance with 1986 PA 54.

(Ord. 2013-06. Passed 5-8-13.)

#### DESIGNATION OF ENFORCEMENT AGENCY

#### 1416.10 AGENCY DESIGNATED.

Pursuant to the provisions of the Michigan Mechanical, Electrical, and Plumbing Codes, in accordance with Sections 8b and 23 of 1972 P.A. 230, as amended, the mechanical, electrical, and plumbing code officials of the City of Grand Blanc are hereby designated as the enforcing agencies to discharge the responsibility of the City of Grand Blanc under 1972 P.A. 230, State of Michigan, as amended. The City of Grand Blanc assumes responsibility for the administration and enforcement of said Act throughout its corporate limits.

(Ord. 10-12-01. Passed 10-10-12.)

#### 1416.11 ENFORCEMENT.

Failure to comply with the Michigan Mechanical, Electrical or Plumbing Codes shall constitute a

violation of this chapter. Each day that there is such a failure to comply will constitute a separate offense.

Violation of the State Mechanical, Electrical or Plumbing Codes shall be deemed to be a nuisance per se. Any person or anyone acting on behalf of any such person who shall violate any provisions of said codes, or who shall fail to comply with any requirements thereof, shall be in violation of a municipal civil infraction as provided in City of Grand Blanc Code of Ordinances Section 202.99. A violator shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law, including costs and attorneys= fees.

(Ord. 10-12-01. Passed 10-10-12.)

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## TITLE FOUR - Miscellaneous Building Regulations

- Chap. 1440. Flood Damage Prevention.
- Chap. 1456. Licensing of Residential Builders.
- Chap. 1460. Numbering of Buildings.
- Chap. 1480. Signs.
- Chap. 1484. Smoke Detectors.
- Chap. 1486. Telecommunications Systems and Services.
- Chap. 1488. Blight.

## CHAPTER 1440

## Flood Damage Prevention

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|---|---|
| 1440.01 Authority.                                    | 1440.09 Specific base flood elevation standards.      |
| 1440.02 Intent.                                       |   |
| 1440.03 Definitions.                                  | 1440.10 Premanufactured unit standards.               |
| 1440.04 Delineation of the flood hazard overlay zone. | 1440.11 Flood plain management administrative duties. |
| 1440.05 Zoning/building permits.                      | 1440.12 Floodway protection standards.                |
| 1440.06 Flood hazard area zone variance.              | 1440.13 Mapping disputes.                             |
| 1440.07 Permit application information.               | 1440.14 Disclaimer of liability.                      |
| 1440.08 General standards for flood hazard reduction. |   |

## CROSS REFERENCES

- Flood control in home rule cities - see M.C.L.A. Secs. 117.4a, 117.4e
- Municipal bond issues - see M.C.L.A. Sec. 135.3
- Drains and drainage; flood control projects - see M.C.L.A. Secs. 280.429, 280.431
- Floodplain easements - see M.C.L.A. 281.628
- Sewers generally - see S.U. & P.S. Ch. 1040
- Water generally - see S.U. & P.S. Ch. 1042
- Drainage in land divisions - see P. & Z. 1226.03, 1226.04, 1226.08, 1226.10(b)

1440.01 AUTHORITY.

The State Legislature has, in M.C.L.A. 125.581, as amended, delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety and general welfare of their residents. (Ord. 220. Passed 2-13-91.)

1440.02 INTENT.

It is the intent of this chapter to significantly reduce hazards to persons and damage to property as a result of flood conditions in the City of Grand Blanc, and to comply with the provisions and requirements of the National Flood Insurance Program, as constituted in accordance with the National Flood Insurance Act of 1968, and subsequent enactments and rules and regulations promulgated in furtherance of this program by the Federal Emergency Management Agency, as published in the Federal Register, Vol. 41, No. 207, Tuesday, October 26, 1976, and redesignated at 44 FR 31177, May 31, 1979. Further, the intent of this chapter includes:

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- (a) The protection of human life, health and property from the dangerous and damaging effects of flood conditions;
- (b) The minimization of public expenditures for flood control projects, rescue and relief efforts in the aftermath of flooding, repair of flood damaged public facilities and utilities, and the redevelopment of flood damaged homes, neighborhoods and commercial and industrial areas;
- (c) The prevention of private and public economic loss and social disruption as a result of flood conditions;
- (d) The maintenance of stable development patterns not subject to the blighting influences of flood damage;
- (e) To insure that the public has access to information indicating the location of land areas subject to periodic flooding; and
- (f) To preserve the ability of flood plains to carry and discharge a base flood.

(Ord. 220. Passed 2-13-91.)

#### 1440.03 DEFINITIONS.

As used in this chapter:

- (a) "Area of shallow flooding" means a designated AO zone on a community's Flood Insurance Rate Map (FIRM), with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of the flooding is unpredictable and indeterminate, and where velocity flow may be evident.
- (b) "Area of special flood hazard" is the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.
- (c) "Base flood" means the flood having a one percent chance of being equalled or exceeded in any given year.
- (d) "Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, and mining, dredging, filling, grading, excavation or drilling operations.
- (e) "Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:
  - (1) The overflow of inland or tidal waters;
  - (2) The unusual and rapid accumulation or run-off of surface waters from any source.

- (f) "Flood hazard area" means land which, on the basis of available flood plain information, is subject to a one percent or greater chance of flooding in any given area.
- (g) "Flood Hazard Boundary Map" (FHBM) means an official map of a community issued by the Federal Insurance Administration, where the boundaries of the areas of special flood hazards have been designated as Zone A.
- (h) "Flood Insurance Rate Map" (FIRM) means an official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

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(i) "Flood Insurance Study" is the official report provided by the Federal Insurance Administration. The report contains flood profiles, as well as the Flood Hazard Boundary - Floodway Map and the water surface elevation of the base flood.

(j) "Flood plain" means any land area susceptible to being inundated by water from any source.

(k) "Floodway" means the channel of a river or other watercourse and the adjacent land areas designated in the Flood Insurance Study which must be reserved in order to discharge the base flood.

(l) "Harmful increase" means an unnaturally high stage on a river, stream or lake which causes or may cause damage to property, threat to life, personal injury, or damage to land or water resources.

(m) "New construction" means structures for which the "start of construction" is commenced on or after the effective date of this chapter.

(n) "Ordinary repair/replacement" means to restore to sound or good condition, after damage, injury or decay, not exceeding forty-nine percent of the total value of the structure being repaired, i.e. re-roofing, re-siding, window replacement and those other items as determined by the Building and Zoning Administrator.

(o) "Premanufactured structure" means a structure, transportable in one or more sections, which may or may not be built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

(p) "Structure" means a walled and roofed building that is principally above ground, gas or liquid storage facility, deck, fence, pool, premanufactured structure, or any other significant obstruction of the floodway.

(q) "Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

(1) Before the improvement or repair is started; or

(2) If the structure has been damaged and is being restored, before the damage occurred.

For purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, roof, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or any



alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places, or any ordinary repair or replacement, as defined. (Ord. 220. Passed 2-13-91.)

1440.04 DELINEATION OF THE FLOOD HAZARD OVERLAY ZONE.

(a) The flood hazard area zone shall overlay existing zoning districts delineated on the official City of Grand Blanc Zoning Map. The boundaries of the flood hazard area zone shall coincide with the boundaries of the areas indicated as within the limits of the 100-year flood in the report entitled "The Flood Insurance Study of the City of Grand Blanc," dated July 2, 1980, with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps. Within the flood hazard area zone a regulatory floodway shall be designated. The boundaries of the regulatory floodway shall coincide with the floodway boundaries indicated on the Flood Boundary and Floodway Map. The Study and accompanying maps are adopted by reference, appended, and declared to be a part of this chapter. The term flood hazard area shall mean the Flood Hazard Area Zone, and the term floodway shall mean the designated regulatory floodway.

(b) Where there are disputes as to the location of a flood hazard area zone boundary, the Board of Zoning Appeals shall resolve the dispute in accordance with the National Flood Insurance Program.

(c) In addition to other requirements of this chapter, compliance with the requirements of this section shall be necessary for all development occurring within the flood hazard area zone.

(Ord. 220. Passed 2-13-91.)

1440.05 ZONING/BUILDING PERMITS.

Development, new construction, "substantial improvement," or the placement of premanufactured units, within a flood hazard area, shall not occur except upon issuance of a variance by the Board of Zoning Appeals, and compliance with the following standards:

(a) All of the requirements of this chapter shall be met;

(b) The requirements of the underlying zoning districts and applicable general provisions of the Zoning Code shall be met;

(c) All necessary development permits shall have been issued by appropriate local, State and Federal authorities, including a flood plain permit, approval, or letter of no authority from the Michigan Department of Natural Resources under authority of Act 245 of the Public Acts of 1929, as amended by Act 167 of the Public Acts of 1968, as amended. Where a development permit cannot be issued prior to the issuance of a Board of Zoning Appeals variance, a letter from the issuing agency indicating intent

to issue contingent only upon proof of said variance, shall be acceptable.

(d) Building permits for ordinary repair/replacements shall not require the approval of the Board of Zoning Appeals.

(Ord. 220. Passed 2-13-91.)

1440.06 FLOOD HAZARD AREA ZONE VARIANCE.

(a) A variance shall not be granted within a regulatory floodway where the result would be any increase in flood levels during a base flood discharge, except upon certification by a registered professional engineer or the Department of Natural Resources, that the cumulative effect of the proposed development will not harmfully increase the water service elevation of a base flood. In determining whether a harmful increase will occur, compliance with Act 245 of the Public Acts of 1929, as amended by Act 167 of the Public Acts of 1968, shall be required, provided that the allowable increase, including the increase used as the design standard for delineating the floodway, shall not exceed one foot.

(b) A variance shall be granted only upon:

(1) A showing of good and sufficient cause;

(2) A determination that failure to grant the variance would result in an exceptional hardship, and;

(3) A determination that the granting of the variance will not result in flood heights in excess of those permitted by this chapter, additional threats to public safety, extraordinary public expense, nuisances, fraud on, or victimization of the public, or conflict with existing laws or ordinances.

(c) The variance granted shall be the minimum necessary, considering the flood hazard, to afford relief to the applicant.

(d) The City of Grand Blanc Board of Zoning Appeals may attach conditions to the granting of a variance to insure compliance with the standards contained in this chapter.

(e) Variances may be granted for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the Michigan Historic Markers listing of historic sites, or any other State register of historic places, without regard to the requirements of this section governing variances in flood hazard areas.

(Ord. 220. Passed 2-13-91.)

1440.07 PERMIT APPLICATION INFORMATION.

The following information shall be submitted as part of an application for permission to commence

any type of construction or development within a flood hazard area zone:

(a) The elevation in relation to mean sea level of the lowest supporting floor member, including the basement, of all structures;

(b) Where floodproofing will be employed, the elevation in relation to mean sea level to which a structure will be floodproofed;

(c) Where floodproofing will be employed, a certificate from a registered professional engineer or architect that floodproofing criteria of this chapter will be met;

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(d) Where it can be determined that development or construction is proposed within zones A1-30 on the FIRM or the regulatory floodway, certification as required by this chapter must be provided;

(e) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development or construction;

(f) Proof of development permission from appropriate local, State and Federal agencies as required by Section 1440.05, including a flood plain permit approval, or a letter from the Michigan Department of Natural Resources, claiming no authority;

(g) Base flood elevation data where the proposed development or construction is subject to Act 288 of the Public Acts of 1967, as amended, or greater than five acres in size, and;

(h) Any additional information which may be reasonably necessary to determine compliance with the provisions of this chapter.

(Ord. 220. Passed 2-13-91.)

1440.08 GENERAL STANDARDS FOR FLOOD HAZARD REDUCTION.

(a) All new construction and substantial improvements within a flood hazard area, including the placement of prefabricated buildings and mobile homes, shall:

(1) Be designed and anchored to prevent flotation, collapse, or lateral movement of the structure;

(2) Be constructed with materials and utility equipment resistant to flood damage;  
and

(3) Be constructed by methods and practices that minimize flood damage.

(b) All new and replacement water supply systems shall minimize or eliminate infiltration of flood waters into the systems.

(c) All new and replacement sanitary sewage systems shall minimize or eliminate infiltration of flood waters into the systems and discharges from systems into flood waters. On-site waste disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.

(d) All public utilities and facilities shall be designed, constructed and located to minimize or eliminate flood damage.

(e) Adequate drainage shall be provided to reduce exposure to flood hazards.

(f) The Building and Zoning Administrator or his or her designee shall review development proposals to determine compliance with the standards in this section. Compliance with the standards of this chapter shall be required to be certified by a registered professional engineer or architect.

(g) Land shall not be divided in a manner creating parcels or lots which cannot be used in conformance with the requirements of this section.

(h) The flood-carrying capacity of any altered or relocated watercourse not subject to State or Federal regulations designed to insure flood-carrying capacity shall be maintained.

(i) Available flood hazard data from Federal, State or other sources shall be reasonably utilized in meeting the standards of this section. Data furnished by the Federal Insurance Administration shall take precedence over data from other sources.

(Ord. 220. Passed 2-13-91.)

#### 1440.09 SPECIFIC BASE FLOOD ELEVATION STANDARDS.

(a) On the basis of the most recent available base flood elevation data the following standards shall apply in the flood hazard area zone:

(1) All new construction and substantial improvements of residential structures shall have the lowest portion of all horizontal structural members supporting floors, excluding footings, pile caps, piling, non-structural slabs, girders and grade beams, located at or above the base flood level. All basement floor surfaces shall be located at or above the base flood level.

(2) All new construction and substantial improvements of non-residential structures shall have either:

A. The lowest portion of all horizontal structural members supporting floors located at or above the base flood level, or

B. Be constructed such that below base flood level, together with attendant utility and sanitary facilities, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this paragraph are satisfied, and that the floodproofing methods employed are adequate to withstand the flood depths, pressures and velocities, impact and uplift forces and other factors associated with a base flood in the location of the structure. Such certification shall be submitted on the form provided by the Michigan Department of Natural Resources, and shall indicate the elevation to which the structure is floodproofed.



C. All basement floor surfaces shall also be located at or above the base flood level.

(b) The most recent base flood elevation data received from the Federal Insurance Administration shall take precedence over data from other sources.

(Ord. 220. Passed 2-13-91.)

1440.10 PREMANUFACTURED UNIT STANDARDS.

(a) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties in accordance with the following specifications:

(1) Over-the-top ties shall be provided at each of the four corners on the structure, with two additional ties per side at intermediate locations, except that on structures less than fifty feet in length one tie per side shall be required.

(2) Frame ties shall be provided at each corner of the structure with five additional ties per side at intermediate points, except that on structures less than fifty feet in length four ties per side shall be required.

(3) All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.

(4) All additions to premanufactured structures shall be similarly anchored.

(b) An evacuation plan indicating alternative vehicular access and escape routes shall be filed with the City Emergency Disaster Coordinator for mobile home parks and mobile home subdivisions.

(c) Mobile homes within zones A1-30 on the Flood Insurance Rate Map shall be located in accordance with the following standards:

(1) All mobile homes shall be placed on stands or lots which are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level.

(2) Adequate surface drainage away from all structures and access for a mobile home hauler shall be provided.

(3) In the instance of elevation on pilings, lots shall be large enough to permit steps. Piling foundations shall be placed on stable soil no more than ten feet apart. Reinforcement shall be provided for piers more than six feet above ground level.

(4) In mobile home parks and mobile home subdivisions which exist at the time

this subsection is adopted, where repair, reconstruction or improvement of streets, utilities and pads equals or exceeds fifty percent of the value of the streets, utilities and pads before the repair, the standards in paragraphs (c)(1), (2) and (3) shall be complied with.

(Ord. 220. Passed 2-13-91.)

1440.11 FLOOD PLAIN MANAGEMENT ADMINISTRATIVE DUTIES.

(a) With regard to the National Flood Insurance Program, and the regulation of development within the flood hazard area zone as prescribed in Sections 1440.05 through 1440.09, the duties of the City Clerk shall include, but are not limited to:

(1) Notification to adjacent communities and the Department of Natural Resources of the proposed alteration or relocation of any watercourse, and the submission of such notifications to the Federal Insurance Administration.

(2) Recording of all certificates of floodproofing, and written notification to all applicants to whom variances are granted in a flood hazard zone indicating the terms of the variance, the increased danger to life and property and that the cost of flood insurance will increase commensurate with the increased flood risk, and may reach amounts in excess of twenty-five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage per year. A record of all variance notifications and variance actions shall be maintained together with the justification for each variance.

(3) All records pertaining to the Flood Insurance Program.

(b) With regard to the National Flood Insurance Program, and the regulation of development within the flood hazard zone as prescribed in Sections 1440.05 through 1440.08, the duties of the Building/Zoning Department shall include, but are not limited to:

(1) Verification and recording of the actual elevation in relation to mean sea level of the lowest supporting floor member, including the basement, of all new or substantially improved structures constructed within the hazard area, and in the case of floodproofed structures, the elevation to which the structure was floodproofed.

(2) All maps pertaining to the National Flood Insurance Program, which shall be open for public inspection.

(3) To obtain and utilize the best available flood hazard data for purposes of administering this chapter in the absence of data from the Federal Emergency Management Agency.

(Ord. 220. Passed 2-13-91.)

#### 1440.12 FLOODWAY PROTECTION STANDARDS.

(a) New construction, substantial improvements and all other development, including fill, shall be prohibited within zones numbered A1-30 on the FIRM, except where it is demonstrated to the Zoning Administrator that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not harmfully increase the water surface elevation of a base flood. In determining whether a harmful increase will occur, compliance with Act 245 of the Public Acts of 1929, as amended by Act 167 of the Public Acts of 1968, as amended, shall be required, provided

that the allowable increase shall not exceed one foot. The provisions of this section shall not apply within the regulatory floodway. The provisions of subsection (b) hereof shall be applied to land situated within the regulatory floodway.

(b) All development occurring within the regulatory floodway shall comply with the following standards:

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(1) Encroachments, including fill, new construction, substantial improvements and other development, shall be prohibited.

(2) The placement of premanufactured units shall be prohibited, except in mobile home parks and subdivisions which exist at the time this chapter is adopted.

(3) Development or new construction, in the regulatory floodway, which may be permitted under the variance provisions of this chapter, shall also meet the applicable requirements of Sections 1440.05 through 1440.10.

(c) The uses of land permitted in an underlying zoning district shall not be construed as being permitted within the regulatory floodway, except upon compliance with the provisions of this chapter. (Ord. 220. Passed 2-13-91.)

1440.13 MAPPING DISPUTES.

(a) Where disputes arise as to the location of the flood hazard area boundary or the limits of the floodway, the Board of Zoning Appeals shall resolve the dispute and establish the boundary. In all cases, the decision of the Board of Zoning Appeals shall be based upon the most current flood plain studies issued by the Federal Insurance Administration. Where Federal Insurance Administration information is not available, the best available flood plain information shall be utilized.

(b) Where a dispute involves an allegation that the boundary is incorrect as mapped and Federal Insurance Administration flood plain studies are being questioned, the Board of Appeals shall modify the boundary of the flood hazard area or the floodway only upon receipt of an official letter of map amendment issued by the Federal Insurance Administration.

(c) All parties to a map dispute may submit technical evidence to the Board of Appeals. (Ord. 220. Passed 2-13-91.)

1440.14 DISCLAIMER OF LIABILITY.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based upon engineering and scientific methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes such as ice jams and

bridge openings restricted by debris. Approval of the use of land under this chapter shall not be considered a guarantee or warranty of safety from flood damage. This chapter does not imply that areas outside the flood hazard area will be free from flood damage. This chapter does not create liability on the part of the City of Grand Blanc or any officer or employee thereof for any flood damage that result from reliance on this chapter or any administrative decision lawfully made hereunder.

(Ord. 220. Passed 2-13-91.)

## CHAPTER 1456

## Licensing of Residential Builders

1456.01	Definitions.	1456.03	Action for collection of compensation
1456.02	Engaging in business or acting in the capacity of a residential builder or residential maintenance and alteration contractor or salesperson without a license.		for performance of act or contract; alleging and proving licensure.
		1456.99	Penalty.

## CROSS REFERENCES

State Construction Code - see M.C.L.A. Secs. 125.1501 et seq.;

B. & H. Ch. 1412

Building sewers - see S.U. & P.S. 1040.04

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1456.01      DEFINITIONS.

As used in this chapter:

- (a) AResidential builder@ means a person engaged in the construction of a residential structure or a combination residential and commercial structure who, for a fixed sum, price, fee, percentage, valuable consideration, or other compensation, other than wages for personal labor only, undertakes with another or offers to undertake or purports to have the capacity to undertake with another, for the erection, construction, replacement, repair or alteration of, or an addition to, subtraction from, improvement of, wrecking of, or demolition of, a residential structure or a combination residential and commercial structure; a person who manufactures, assembles, constructs, deals in, or distributes a residential or a combination residential and commercial structure which is prefabricated, preassembled, precut, packaged, or is shell housing; or a person who erects a residential structure or a combination residential and commercial structure, except for the person=s own use and occupancy on the person=s



property.

- (b) AResidential maintenance and alteration contractor@ means a person who, for a fixed sum, price, fee, percentage, valuable consideration, or other compensation, other than wages for personal labor only, undertakes with another for the repair of, alteration of, or an addition to, subtraction from, improvement of, wrecking of, or demolition of a residential structure or a

combination residential and commercial structure, or the building of a garage, or the laying of concrete on residential property, or who engages in the purchase, substantial rehabilitation or improvement and resale of a residential structure, engaging in that activity on the same structure more than twice in one calendar year, except in the following instances:

- (1) If the work is for the person=s own use and occupancy.
  - (2) If the rehabilitation or improvement work of residential-type property or a structure is contracted for, with, or hired entirely to be done and performed for the owner by a person licensed under this chapter.
  - (3) If work is performed by a person employed by the owner to perform work for which the person is licensed by the State.
- (c) **Residential structure** means a premises used or intended to be used for a residence purpose and related facilities appurtenant to the premises, used or intended to be used as an adjunct of residential occupancy.
- (d) **Salesperson** means an employee or agent, other than a qualifying officer, of a licensed residential builder or residential maintenance and alteration contractor, who, for a salary, wage, fee, percentage, commission, or other consideration, sells or attempts to sell, negotiates or attempts to negotiate, solicits for or attempts to solicit for, obtains or attempts to obtain a contract or commitment for, or furnishes or attempts or agrees to furnish, the goods and services of a residential builder or a residential maintenance and alteration contractor, except a person working for a licensed residential builder or a maintenance and alteration contractor who makes sales which are occasional and incidental to the person=s principal employment.
- (e) **Wages** means money paid or to be paid on an hourly or daily basis by an owner, lessor, or occupant of a residential structure or a combination residential and commercial structure as consideration for the performance of personal labor on the structure by a person who does not perform or promise to perform the labor for any other fixed sum, price, fee, percentage, valuable consideration, or other compensation and who does not furnish or agree to furnish the material or supplies required to be used in the performance of the labor or an act defined in subsection (a) or (b) hereof.

(Ord. 242. Passed 3-18-98.)

BUILDER OR RESIDENTIAL MAINTENANCE AND ALTERATION CONTRACTOR OR SALESPERSON WITHOUT A LICENSE.

A person may engage in the business of or act in the capacity of a residential builder or a residential maintenance and alteration contractor or salesperson in this State without having a license, if the person is one of the following:

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(a) An authorized representative of the United States government, this State, or a county, township, city, village, or other political subdivision of this State.

(b) An owner of property, with reference to a structure on the property for the owner's own use and occupancy.

(c) An owner of rental property, with reference to the maintenance and alteration of that rental property.

(d) An officer of a court acting within the terms of the officer's office.

(e) A person other than the salesperson who engages solely in the business of performing work and services under contract with a residential builder or a residential maintenance and alteration contractor licensed under this chapter.

(f) A person working on one undertaking or project by one or more contracts, the aggregate contract price for which labor, material, and any other item is less than one thousand, two hundred dollars (\$1,200). This exemption does not apply if the work of construction is only part of a larger or major operation, whether undertaken by the same or a different residential builder or a residential maintenance and alteration contractor, or in which a division of the operation is made in contracts of amounts less than six hundred dollars (\$600.00), to evade this Act.

(g) An electrical contractor who is licensed under Act No. 217 of the Public Acts of 1956, as amended, being M.C.L.A. 338.881 to 338.892. This exemption applies only to electrical installation, electrical maintenance, or electrical repair work performed by the electrical contractor.

(h) A plumbing contractor licensed under Act No. 266 of the Public Acts of 1929, as amended, being M.C.L.A. 338.901 to 338.917. This exemption applies only to plumbing installation, plumbing maintenance, or plumbing repair work performed by the plumbing contractor.

(i) A mechanical contractor who is licensed under the Mechanical Contractors Act. This exemption applies only to mechanical installation, mechanical maintenance, or mechanical repair work performed by the mechanical contractor. (Ord. 242. Passed 3-18-98.)

1456.03 ACTION FOR COLLECTION OF COMPENSATION FOR PERFORMANCE OF ACT OR CONTRACT; ALLEGING AND PROVING LICENSURE.

A person or qualifying officer for a corporation or member of a residential builder or a residential maintenance and alteration contractor shall not bring or maintain an action in the jurisdiction of this City for the collection of compensation for the performance of an act or contract for which a license is required

by this chapter without alleging and proving that the person was licensed under this chapter during the performance of the act or contract, nor shall any person perform construction as a residential maintenance and alteration contractor without being licensed under this chapter during the performance of the act or contract. (Ord. 242. Passed 3-18-98.)

1456.99 PENALTY.

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

CHAPTER 1460

Numbering of Buildings

- 1460.01 Intent.
- 1460.02 Responsibility of owners.
- 1460.03 Location; exceptions.
- 1460.04 Size, type and color of numbers.
- 1460.05 Multifamily dwellings.
- 1460.06 Maintenance.
- 1460.07 Enforcement by Police Department.
- 1460.99 Penalty.

1460.01 INTENT.

It is the intent of this chapter to safeguard the public health and welfare by regulating the size and placement of building numbers so that such numbers are readily visible from the exterior of the building. (Ord. 130. Passed 10-10-79.)

1460.02 RESPONSIBILITY OF OWNERS.

The owners of all buildings in the City shall cause the correct building numbers to be placed thereon in the manner specified in this chapter. (Ord. 130. Passed 10-10-79.)

1460.03 LOCATION; EXCEPTIONS.

The identifying numbers on all buildings shall be placed on, at, or as near as practical to, the front

door, or directly over the garage door, and shall be facing the street and in such a position as to be readily visible from the street on which the building fronts. No portion of the numbers shall be less than three feet from ground level. Exceptions to the location may be granted by the Building and Zoning Administrator but the same must be done in writing.

(Ord. 130. Passed 10-10-79.)

#### 1460.04 SIZE, TYPE AND COLOR OF NUMBERS.

Building numbers shall be not less than five inches in height and shall be block letters of a color which contrasts with the immediate background on which they are mounted. (Ord. 130. Passed 10-10-79.)

#### 1460.05 MULTIFAMILY DWELLINGS.

In addition to the other requirements of this chapter, multifamily dwellings shall comply with the following:

(a) Identification. Multifamily dwellings shall be identified by one placard containing the building number and apartment numbers of each family dwelling in the building. The placard shall be a color



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which contrasts with the immediate background on which it is mounted. Multifamily dwellings requiring more than one placard are described in subsection (c) hereof.

(b) Location. The identification placard shall be at least seven feet above ground level, mounted flush on the building and facing the street on which the building fronts.

(c) Buildings with Four or More Family Units. A building with four or more family units shall have two such placards placed at opposite corners of the building, which placards shall face the street on which the building fronts.

(d) Numbering. Whenever possible, buildings shall be numbered instead of lettered. (Ord. 130. Passed 10-10-79.)

1460.06 MAINTENANCE.

All numbers and placards shall be maintained in a neat, attractive manner.

(Ord. 130. Passed 10-10-79.)

1460.07 ENFORCEMENT BY POLICE DEPARTMENT.

The Police Department shall enforce this chapter. Existing structures shall be required to be in compliance within six months of the adoption of this chapter (Ordinance 130, passed October 10, 1979). New structures shall be brought into compliance upon completion.

(Ord. 130. Passed 10-10-79.)

1460.99 PENALTY.

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

## CHAPTER 1480

## Signs

- 1480.01 Purpose, scope and intent.
- 1480.02 Definitions.
- 1480.03 General district regulations.
- 1480.04 Residential districts.
- 1480.05 OS-1, B-1, B-2, B-3, P-1, I-1, I-2 and R-P Districts.
- 1480.06 Signs on public or private property.
- 1480.07 Nonconforming uses.
- 1480.075 Temporary commercial signs.
- 1480.08 Temporary signs; permit required; exemptions.
- 1480.09 General exemptions.
- 1480.10 Legal nonconforming signs.
- 1480.11 Prohibited signs.
- 1480.12 Illumination.
- 1480.13 Permits.
- 1480.14 Compliance with Building Code.
- 1480.15 Inspections; maintenance and removal.
- 1480.16 Variances. (Repealed)
- 1480.163 Variances.
- 1480.165 Exceptions.
- 1480.17 Enforcement by the

Building Department.

1480.18 Interpretation.

1480.19 Appeals; duties of  
Council.

1480.20 Costs of enforcement.

1480.99 Penalty.

#### CROSS REFERENCES

Defacing on private property - see M.C.L.A. Sec. 750.385

Posting without permission - see M.C.L.A. Secs. 752.821 et seq.

Building and Zoning Administrator - see ADM. Ch. 242

Sign Review Committee - see ADM. Ch. 272

Approval or rejection of plans for signs - see ADM. 272.05

#### 1480.01 PURPOSE, SCOPE AND INTENT.

It is the intent of this chapter to encourage sound, consistent practice with respect to the size and placement of signs; to minimize hazards to motorists and pedestrians traveling on public ways; and thereby to promote public health, safety and welfare; and to encourage compatible designs within the City. (Ord. 213. Passed 4-11-90.)

#### 1480.02 DEFINITIONS.

As used in this chapter:

- (a) "Abandoned sign" means a sign which no longer correctly directs or exhorts any person, advertises a bonafide business, lessor, owner, product or activity conducted, or product available on the premises where such sign is displayed.
- (b) "Area or surface area of a sign" means that area enclosed by one rectangle, the sides of which make contact with the extreme points or edges of the sign, excluding the supporting structure which does not form part of the sign proper or of the display.

If a flat wall sign is made up of individual letters which allow the normal exterior of the building surface to be visible between and through the letters, then the sign size shall be calculated by using the sum of the smallest rectangles which would enclose each individual letter.

Where a sign has two or more faces, the area of all faces shall be included in determining the total area of the sign, i.e., a two-faced sign with four by eight feet displayed on each face would calculate to a total area of sixty-four square feet.

- (c) "Awning" means a retractable or fixed shelter, projecting from and supported by the exterior wall of a building, constructed of materials on a supporting framework.
- (d) "Awning sign" means a sign painted on, printed on, or attached flat against, the surface of an awning.
- (e) "Building Department representative" means a professional-level employee working under the supervision of the Building and Zoning Administrator with the authority and responsibility inherent in that office.
- (f) "Building line" means a line beyond which no building may extend, as established by ordinance. A building line in some instances may coincide with the property line.
- (g) "Building wall area" or "wall area" means that area of an exterior wall starting at sidewalk level and extending up to the eaves on a vertical plane, and, in the case of a mansard roof, including the generally vertical surface on such roof.
- (h) "Canopy" means a permanent roof-like shelter that extends from part or all of a building face and is constructed of nonrigid material except for the supporting framework.
- (i) "Canopy sign" means a sign displayed and affixed flat on the surface of a canopy and which does not extend vertically or horizontally beyond the limits of the canopy.
- (j) "Copy area" means the area, in square feet, of the smallest rectangle which described the area enclosed by the actual lettering on the sign, not including the supporting structure or decorative embellishments thereof.
- (k) "Free-standing or ground sign" means a sign erected on a free-standing frame, mast or pole and not attached to any building.
  - (1) "Free-standing low-profile sign (a.k.a. monument or ground sign)" means a free-standing sign supported by a ground-mounted base, the width of which is at least fifty percent of the width of the sign (low-profile signs convey their message at or below eye level and, because of their proximity to the passerby, have a direct relationship to pedestrians and vehicular traffic. Because of this, care must be taken in the placement of low-profile signs to ensure that adequate sight distance will be provided to approaching motorists).

(2) AFree-standing high-profile sign (a.k.a. pole sign)@ means a sign which is supported by a ground-mounted structure with a width less than fifty percent of the width of its sign face, including individually measured uprights, poles or braces, in or upon the ground, which are not part of any building.

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- (l) **Height of sign** means the vertical distance measured from the natural grade level beneath the sign to the highest point of the sign or its projecting structure.
  - (m) **Legal nonconforming sign** means any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the purview of this chapter, and any amendments thereto, and which fails to conform to any applicable restrictions of this chapter.
  - (n) **Location** means a lot, premises, building, wall or other place upon which a sign is located.
  - (o) **Marquee** means a canopy or covering structure projecting from and attached to a building.
  - (p) **Multiple dwelling** means any building housing more than two families, unless otherwise defined by the Zoning Code.
  - (q) **Pennant** means a long, narrow, relatively small flag composed of lightweight material, secured or mounted so as to allow movement by wind pressure.
  - (r) **Projection** means the distance by which a sign extends over public property or beyond the building line.
  - (s) **Property owner** means a person recorded as such on official records, and including a duly authorized agent, purchaser or devisee, or any person having a vested or contingent interest in the property in question.
  - (t) **Roof line** means either the edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette, and, where a building has several roof levels, this roof or parapet shall be the one belonging to that portion of the building on whose wall the sign is located.
  - (u) **Sign** means any letters, figures, design, symbol, trademark or illuminating device intended to attract attention to any place, subject, person, public performance, article, machine or merchandise whatsoever, and painted, printed or constructed and displayed in any manner whatsoever out of doors for recognized advertising purposes. However, this shall not include any official court or public notice, nor the flag, emblem or insignia of a government, school or religious group when displayed for official purposes.
    - (1) **Electric sign** means any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.
    - (2) **Identity sign** means any sign which carries only the name of the firm, major enterprise or principal product offered for sale on the premises, or a combination of these.
    - (3) **Projecting sign** means a sign, other than a wall sign, that is affixed to any building or

wall, other than a marquee or canopy, and whose leading edge extends more than twelve inches beyond such building or wall.

(4) ARoof sign@ means a sign located on or above the roof of any building.

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- (5) ATemporary sign@ means a banner, poster or other advertising display, whether constructed of cloth, canvas, plastic sheet, cardboard, wallboard, metal or other material, which is moveable and thus intended to be displayed for a limited period of time. ATemporary sign@ includes those signs defined and permitted in Section 1480.08 and 1480.085.
- (6) AFlat wall sign@ means a sign affixed directly to, painted on or otherwise inscribed on an exterior wall and confined within the limits of any building, and which projects from the surface less than twelve inches at all points.
- (v) AStreet@ means a public dedicated right of way, other than an alley, which affords the principal means of access to abutting property.
- (w) AVehicles@ means automobiles, trucks, trailers, railroad cars, construction equipment and other such mobile equipment whose major legal purpose is other than the display of advertising.
- (x) AZoning Code@ means Ordinance 180, passed February 11, 1987, as amended.  
(Ord. 213. Passed 4-11-90; Ord. 10-06. Passed 10-27-10.)

#### 1480.03 GENERAL DISTRICT REGULATIONS.

(a) Sign districts by zone are hereby established as set forth in this chapter. Only signs as described herein and as may be described under Sections 1480.08 and 1480.09 will be permitted in each particular district. If any district is omitted from this chapter, or if a new district is established after the enactment of this chapter (Ordinance 116, passed March 8, 1978), no signs shall be permitted therein until this chapter is amended to include such district.

(b) No sign shall be permitted in the public right of way.

(Ord. 213. Passed 4-11-90.)

#### 1480.04 RESIDENTIAL DISTRICTS.

(a) Generally. This section shall apply to R-1 and R-2 One-Family Residential Districts, R-3 One-Family Attached Residential Districts, R-T Two-Family Residential Districts and RM-1 Multiple-Family Residential Districts, as established in the Zoning Code.

(b) Dwelling Unit Identification Sign. Single-family detached residences shall be allowed two



square feet per dwelling unit, allowing only the name and address. Multifamily dwellings shall be allowed one sign per building, (unless otherwise requested by the Building Department representative for purposes of public safety), not to exceed nine square feet, and may contain only the building address and/or apartment number(s) contained therein.

(c) Subdivision Identification Signs. Subdivisions of single-family, two-family or multifamily dwellings are permitted signs identifying the subdivision or housing complex. Such signs shall have a copy area not to exceed thirty-two square feet per single sign, or not more than forty-eight square feet total for two such signs at each vehicle entrance to the subdivision. More than two signs per entrance are not permitted.

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(d) New Subdivision/Commercial Development For Sale Signs. A licensed real estate broker or licensed builder may erect upon property he or she has for sale, one sign with a maximum total surface area of thirty-two square feet and a maximum height of twelve feet to advertise the lots and/or buildings erected or to be erected in any one subdivision, provided that such broker or builder owns, or has listed for sale, a minimum of five lots and/or buildings in such subdivision. No such sign shall be erected within 50 feet of any residential property line unless the written consent of the owner or occupant is first obtained. When all of the available property is sold, or when no building permits have been issued for such new subdivision/commercial development for eighteen months, whichever first occurs, the Building Department representative shall serve notice upon the broker or builder and such sign shall be removed within thirty days thereafter.

(e) Real Estate Signs. Signs advertising the sale, rental or lease of the premises or part of the premises on which the signs are displayed are permitted, up to a total area of twelve square feet for residential property (six square feet per side for a two-sided sign), or thirty-two square feet for commercial property (sixteen square feet per side for a two-sided sign). Such signs shall be removed within fourteen days after the close of sale, rental or lease. Such signs shall not exceed one per parcel and shall be contained within the confines of the parcel.

(f) Location. Except as otherwise specifically provided herein, permitted signs may be anywhere on the premises, except that they may not project beyond any property line, and if building mounted, shall be flush mounted, shall not be mounted on any roof of the building and shall not project above the roof line.

(Ord. 213. Passed 4-11-90.)

(g) Business Center Signs. (EDITOR'S NOTE: Subsection (g) was repealed by Ordinance 236, passed June 12, 1996.)

1480.05 OS-1, B-1, B-2, B-3, P-1, I-1, I-2 AND R-P DISTRICTS.

(a) Generally.

(1) This section shall apply to OS-1 Office Service Districts, B-1 Local Business Districts, B-2 Community Business Districts, B-3 General Business Districts, P-1 Vehicular Parking Districts, I-1 Light Industrial Districts, I-2 General Industrial Districts, and R-P Research Park Districts, as established in the Zoning Code.

(2) Where a business fronts on two streets, such business may choose to count the frontage from the longer of the two street frontages. However, such business cannot add together the street frontages.

(3) No business shall be required to have a sign smaller than forty total square feet, with the exception of business center signs.

(4) No business shall be allowed to have a sign which exceeds 150 total square feet.

(5) Each establishment shall be permitted only one sign option, which may be selected from one of the applicable sign options in this section, except as otherwise provided in this chapter.

(b) Option 1. Freestanding Low Profile Sign. Businesses using this option shall be allowed one-half square foot of sign area for each linear foot of street frontage. Signs permitted under this option shall not exceed six feet in height and shall be at least ten feet from the curb or three feet from the street right of way. The sign and its supporting structure shall not block the view of ingress or egress for either vehicles or pedestrians as determined by the Code Enforcement Officer.

(c) Option 2. Freestanding High Profile Signs. Businesses using this option shall be allowed one-quarter square foot of sign area for each linear foot of street frontage. Signs permitted under this option shall not exceed twenty feet maximum height and shall have at least ten feet of clearance under the sign. The sign and its supporting structure shall not block the view of ingress or egress for either vehicles or pedestrians as determined by the Code Enforcement Officer.

(d) Option 3. Flat Wall Signs. Businesses using this option shall be permitted three-quarters of a square foot of sign area for each linear foot of street frontage or one square foot of sign area for each linear foot of building frontage (whichever is larger). The sign shall be mounted flush against the wall and shall not protrude more than twelve inches from the wall surface.

(e) Option 4. Combination Signs. This option applies only to single businesses that occupy a single structure. This option allows use of both flat wall and freestanding signage. Businesses using this option are allowed one-quarter square foot for each linear foot of street frontage. The total square footage derived from the preceding formula may be divided between a single flat wall sign (up to twenty percent) and the freestanding sign. Height and ground clearance requirements remain the same as in Options 1 and 2 above.

(f) Option 5. Canopy/Awning Signs. Businesses using this option are allowed a canopy/awning sign on each street upon which they front. The total sign area shall not exceed one square foot of sign area for each linear foot of street frontage, and shall not exceed forty-five percent of the canopy/awning surface area as defined by a rectangle which would encompass the canopy/awning area.

(g) Option 6. Projecting Signs. Projecting signs are permitted subject to the following:

- (1) Mounting Height and Clearance. Signs shall provide at least eight feet clearance above the sidewalk or ground level, whichever is greater, and shall not be installed above a maximum mounting height of fourteen feet.
- (2) Area. Total sign area shall not exceed fifteen square feet (both sides) or a maximum of seven and one-half square feet per side.
- (3) Building Projection. The leading edge shall not extend more than four feet beyond the surface of the building or wall and may not project over an area of the sidewalk which is two feet or less back from the face of the curb. Additionally, all projecting signs shall have a minimum six-inch separation between the sign and the wall face.
- (4) Number. Each business establishment with a separate, direct entrance to the street, shall be permitted one projecting sign. Alternatively, one angular projecting sign may be allowed for buildings on corner lots. An angular sign shall be a sign which projects towards a street corner and is positioned at the corner of a building having frontage of two public streets.
- (5) Mounting. Projecting signs shall be affixed to a separate support arm(s) or bracket, which shall be affixed to a building facade. The support bracket shall be part of the sign design and not detract from the sign message.
- (6) Illumination. Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign in accordance with the regulations of Section 1480.12 below. Use of internal illumination or glaring undiffused lights or bulbs shall be prohibited.
- (7) Access. No sign shall be erected, relocated or maintained so as to prevent free ingress to, or egress from, any door, window or fire escape.
- (8) Additional Regulations. Projecting signs in the Central Business District (CBD) shall be in accordance with the guidelines set forth in the City=s Downtown Design Manual.

(h) Business Center Signs. A group of contiguous stores, which collectively have a name different than that of the individual establishments and share a common parking area, are allowed, collectively, one free-standing sign in accordance with the standards set forth herein, using the total street frontage in computing the sign area. In addition, each individual business in said group is allowed one flat wall sign, which shall not exceed ten percent of the building wall area if it is less than 100 feet from the street right-of-way, and shall be prorated up to twenty percent of the wall area for walls 200 feet or more from the street right-of-way line.

(Ord. 236. Passed 6-12-96; Ord. 10-06. Passed 10-27-10.)

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#### 1480.06 SIGNS ON PUBLIC OR PRIVATE PROPERTY.

(a) No person shall erect any poster, sign, placard or other form of notice on any public or privately owned properties to prohibit hunting, fishing or trespassing thereon without the written permission of the owner or lessee thereof.

(b) No person shall willfully tear down, destroy or in any manner deface signs, bills or notices on any private or public properties, provided that such signs, bills or notices are not in violation of any general law of the State or Municipal ordinance, and were placed by the owner or lessee, or with his or her consent. (Ord. 213. Passed 4-11-90.)

#### 1480.07 NONCONFORMING USES.

Any building or land use not conforming to the Zoning Code provisions for the zone in which it is located shall, nevertheless, comply with all provisions of this chapter for the applicable zone. (Ord. 213. Passed 4-11-90.)

#### 1480.075 TEMPORARY COMMERCIAL SIGNS.

(a) Temporary commercial signs which advertise a product or service or are of a commercial nature shall require a temporary sign permit. This section shall apply to all temporary commercial signs with or without lettering.

- (1) Such signs shall not exceed five feet in height and thirty-two square feet per side on a two-sided sign.
- (2) The body of the sign shall be constructed so that any trailer portion or supports shall be enclosed by an approved durable material such that the wheel parts will not protrude or be exposed.
- (3) Such signs shall not be illuminated in any way.
- (4) Such signs shall not be erected or displayed more than a cumulative total of sixty days in any calendar year, nor more than thirty consecutive days.
- (5) Banners must be attached flush against a secure surface such as a fence or wall.

(b) Pennant flags may be erected, for a period not to exceed ten days, commencing with the initial opening of a business or organization. They will be allowed for the initial opening of a business only.



A temporary sign permit shall be required.

(Ord. 213. Passed 4-11-90.)

#### 1480.08 TEMPORARY SIGNS; PERMIT REQUIRED; EXEMPTIONS.

The owner of a temporary sign shall obtain any permits required and shall furnish the Building Department representative any information the Building Department representative requires to ensure compliance with this chapter and with other ordinances of the City. The following signs shall be permitted on private property in the City and do not require a permit to be erected, except as set forth in subsection (c), but are subject to all other applicable codes, unless otherwise expressly stated:

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- (a) Construction signs which identify the architects, engineers, contractors and other individuals or firms involved with construction, but not including any advertisement of any product, and signs announcing the character of the building enterprise or the purpose for which the building is intended, during the construction period, to a maximum area of thirty-two square feet per side on a two-sided sign. The signs shall not exceed twelve feet in height and shall be set back from the right of way so as not to interfere with visibility of pedestrians or vehicular traffic. The signs shall be confined to the construction site and shall be removed within fourteen days after any building occupancy permit is issued.
  - (b) Political campaign signs announcing candidates seeking public office and other data pertinent thereto, up to a total area of thirty-two square feet for each premises. These signs shall be confined within private property and shall be removed within fourteen days after the election for which they were made.
  - (c) Street banners spanning a street and banners on street light poles attached to banner arms advertising public entertainment or an event are permitted, if specifically approved by Council, and only for locations designated by Council. The Council may also permit the advertisement

of businesses on street banners and on banners on street light poles attached to banner arms. Businesses may or may not have a physical presence in the City. Any permit is subject to the following conditions:

- (1) Only non-profit organizations residing in the City may request a permit and all advertisers shall be members of the non-profit organization.
- (2) The advertisement shall be in connection with public entertainment or a public event.
- (3) The placement and removal of banners shall be by a professional sign contractor who shall maintain liability insurance.
- (4) Street banners shall have no more than fifteen percent of the total square footage dedicated to advertising and light pole banners shall have no more than twenty-five percent of the total square footage dedicated to advertising.
- (5) Repair of damage to City property including, but not limited to, pole arms of the street light poles shall be the responsibility of the organization requesting the permit.
- (6) The removal and replacement of City banners, if required for the placement of requested banners, shall not be damaged, and if damaged, shall be repaired or replaced by the organization requesting the permit.
- (7) Traffic control and diversion signs during the placement and removal of banners are required.
- (8) Other requirements may be imposed by Council to address issues of health, safety and welfare of the community.
- (9) No more than two permits per calendar year shall be granted by the City Council.

No banners shall be erected before 8:00 a.m. on the morning of the first day of the permit period, as indicated on the application, and shall be removed by 4:30 p.m. on the final day of the permit period.

- (d) Garage sale signs which are in compliance with this chapter, with any other applicable ordinances of the City, and which are displayed only during the period specified on the garage sale permit. Such signs shall not exceed two in number per permit and shall not exceed four square feet per side in area.

- (e) Seasonal or holiday signs, such as those used as Christmas decorations and those used for an historic holiday, as long as they are installed for a limited period of time and contain no commercial advertising;
- (f) Any temporary sign erected by or for any locally recognized civic organization, or any organization that is considered to be a tax-exempt organization by the Internal Revenue Service, shall not require a permit as long as the following conditions are met:
  - (1) The sign shall not exceed a maximum area of thirty-two square feet per side on a two-sided sign.
  - (2) Only one sign shall be erected.
  - (3) The sign shall not be illuminated in any way.
  - (4) The sign shall not be erected for more than a cumulative total of sixty days in any calendar year, nor more than thirty consecutive days.
  - (5) The sign, if ground mounted, shall not be more than six feet in height. If wall mounted, the sign shall be mounted flush against the wall and may not project from or above any roof line.
  - (6) The sign shall not conflict with Section 1480.11, Prohibited Signs.
  - (7) Proof of tax-exempt status shall be produced upon request of the appropriate officials of the City.

(Ord. 213. Passed 4-11-90; Ord. 05-01. Passed 6-13-05.)

#### 1480.09 GENERAL EXEMPTIONS.

The following types of signs are exempt from permit requirements, except as specifically provided in each subsection, and except for applicable construction and safety regulations:

- (a) Public Signs. Signs of a noncommercial nature and in the public interest, erected by, or on the order of, a public officer in the performance of his or her public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, public awareness signs, or signs of an historical interest, and the like;
- (b) Permanent Institutional Signs. Permanent signs setting forth a name of any public, charitable, educational or religious institution, located entirely within the premises of that institution, shall be exempt from the permit fee. All signs shall be subject to all other provisions of this chapter. If building mounted, these signs shall be flat wall signs and shall not project above the roof

line. If ground mounted, the top shall be not more than six feet above ground level.

- (c) Integral Signs. Names of buildings, dates of erection, monumental citations, commemorative tablets and the like, when carved into stone, concrete or similar material at the time of original construction, or when made of bronze, aluminum or other permanent type construction, and made an integral part of the structure, but not exceeding two square feet in area;
- (d) Private Traffic Direction Signs. Signs directing traffic movement onto a premises or within a premises, not exceeding three square feet in area for each sign. Illumination of these signs shall be permitted in accordance with Section 1480.12. Directional signs on and flush with paved areas are exempt from these standards. Such signs shall not contain commercial advertising.
- (e) Small Signs. Signs not exceeding two square feet in area, attached flat against a building, stationary and not illuminated, announcing a name, occupation or dwelling address;

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- (f) Rental Signs. Signs on premises announcing rooms for rent, table board or apartment or house for rent, not exceeding four square feet in area;
- (g) Vehicle Signs. Signs on motor vehicles of any kind, provided that the sign is painted on or attached directly to or within the body of the original motor vehicle and does not project or extend more than twelve inches beyond the original manufactured body proper of the motor vehicle. Any trailer that is pulled, or is intended to be pulled, by a motor vehicle shall be subject to the provisions of Section 1480.075.
- (h) Under Canopy Signs. Signs attached to the underside of a canopy, not exceeding one and one-half square feet per side, with a minimum sidewalk clearance of seven feet, and mounted as nearly as possible to right angles of the building face. Such signs shall be for identification only.
- (i) Flags. The United States flag or State flag or a flag with only the name of a business or organization, as long as that business or organization is still conducted on the premises. Flag poles shall be limited to a height of thirty feet. A maximum number of three poles shall be allowed per premises.
- (j) Interior Signs. Signs located on the interior of buildings, as long as they do not conflict with prohibited signs as specified in Section 1480.11.  
(Ord. 213. Passed 4-11-90.)

#### 1480.10 LEGAL NONCONFORMING SIGNS.

(a) Legal nonconforming signs shall comply with this chapter when a change in ownership, tenancy, business or organization occurs on the premises where the sign is located, or when the advertising on the sign changes to denote a change in ownership, tenancy, business or organization, or when the building upon which the sign is located is demolished or remodeled by more than fifty percent of its fair market value or fifty percent of its size.  
(Ord. 243. Passed 6-10-98.)

(b) Legal nonconforming signs which are removed, blown down, destroyed, relocated, damaged or altered, or which are subject to a change of ownership, shall be required to conform with this chapter.

(c) Prohibited signs (Section 1480.11) shall be removed within one year of the effective date of

this chapter (Ordinance 213, passed April 11, 1990) by the owner or lessee, or the Building Department representative shall cause the removal of such signs and assess the owners and/or lessees of such signs and/or the owners of the property on which such signs are located, the costs of removal.

(Ord. 213. Passed 4-11-90.)

#### 1480.11 PROHIBITED SIGNS.

Prohibited signs are signs which:

- (a) Contain statements, words or pictures of an obscene, indecent or immoral character, which may offend public morals or decency;
- (b) Are of a size, shape, location, movement, content, coloring or manner of illumination which may be confused with or construed as a traffic control sign or device, or which hides from view any traffic or street sign or signal;

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- (c) Advertise an activity, business, product or service not presently offered or conducted on the premises upon which the sign is located, or advertise any business not located on the premises, with the exception that a business may erect permanent signage no more than thirty days prior to an initial opening conditioned on all necessary permits having been obtained;
- (d) In any way obstruct the clear view of pedestrian and/or vehicular traffic;

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- (e) Move in any manner;
- (f) Contain or consist of banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners or other similarly moving devices, except as permitted under Section 1480.075(b);
- (g) Advertise a business or service in a Residential District;
- (h) Are not specifically provided for in this chapter, unless permitted by an action of Council;
- (i) Are located on any public property unless permitted by a resolution of Council; or
- (j) Project above the roof line, except as permitted in subsection (f) above.

(Ord. 213. Passed 4-11-90.)

#### 1480.12 ILLUMINATION.

Except as otherwise specifically provided in this chapter, all permanent signs may be illuminated subject to the following restrictions:

(a) The light from any illuminated sign shall be so shaded, shielded or directed that the light intensity or brightness will not be objectionable to surrounding areas.

(b) No sign shall have a blinking, flashing or fluttering light or other illuminating device which has a changing light intensity, brightness or color. Beacon lights are not permitted.

(c) No colored lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.

(d) The illumination shall be controlled so that neither the direct nor reflected light from primary light sources shall create a traffic hazard.

(e) No exposed reflective-type bulbs and no light or incandescent lamp which exceeds fifteen watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light or lamp to any public street or adjacent property.

(f) If illumination is used for any residential sign, it shall be what is known as white and not colored light. Light rays shall shine only upon the sign or upon the property within the premises and shall not spill over the property lines, in any direction, except by indirect reflections.

(Ord. 213. Passed 4-11-90.)

#### 1480.13 PERMITS.

(a) Required. No sign shall be erected, structurally altered or relocated, nor shall any sign which is blown down, destroyed, damaged or removed be re-erected, without a permit issued by the Building Department representative, except as otherwise provided in this chapter. Where electrical permits are required, they shall be obtained at the same time as the sign permit.

(b) Applications. The permit application shall contain the proposed location of the sign structure, the name and address of the sign owner and of the sign erector, the name and address of the owner of the business and of the property if different from that of the sign owner, drawings and/or sketches showing the design and location of the sign, the estimated

cost of construction and such other pertinent information as the Building Department representative may require to ensure compliance with this chapter and with other ordinances of the City.

(c) Fees. All sign fees shall be regulated by Council, by resolution, at a regularly scheduled Council meeting. Such resolution may, from time to time, be amended pursuant to the governing rules of Council.

(d) Nullification. A sign permit shall become null and void if the work for which the permit was issued has not been completed within six months after the date of the permit.

(e) Exceptions. The following operations shall not be considered as creating a sign and, therefore, shall not require a sign permit:

(1) Replacing copy. The changing of the advertising copy or message on an approved painted or printed sign, on a theater marquee and on similar approved signs which are specifically designed for the use of replaceable copy; and

(2) Maintenance. Painting, repainting, cleaning or other normal maintenance or repair of a sign or a sign structure, unless a structural change is made.

(f) Certificate of Compliance. All permanent sign permits that are also considered building permits shall require a final inspection and the issuance of a Certificate of Compliance from the Building Department. (Ord. 213. Passed 4-11-90.)

#### 1480.14 COMPLIANCE WITH BUILDING CODE.

All signs shall comply with the pertinent requirements of the City's legally adopted Building Code, as amended from time to time, except as modified in this chapter.

(Ord. 213. Passed 4-11-90.)

#### 1480.15 INSPECTIONS; MAINTENANCE AND REMOVAL.

(a) Inspections. Signs for which a permit is required may be inspected periodically by the Building Department representative for compliance with this chapter and with other ordinances of the City.

(b) Maintenance. All signs and components thereof shall be kept in good repair and in safe, neat, clean and attractive condition.

(c) Removal. The Building Department representative may order the removal of any permanent sign and its supporting structure erected or maintained in violation of this chapter. He or she shall give thirty days' notice, in writing, to the owner of such sign, or of the building, structure or premises on which such sign is located, to remove the sign and its supporting structure or bring it into compliance. Any sign erected of a temporary nature shall require written notice of only three days. Upon failure to comply with this notice, the Building Department representative may remove the sign and its supporting structure. The Building Department representative may remove a sign and its supporting structure

immediately and without notice if, in his or her opinion, the condition of the sign and its supporting structure is such as to present an immediate threat to the safety of the public. The cost of such removal by the City shall be assessed against the owner of such sign or the owner of the building, structure or premises.

(d) Abandoned Signs. An abandoned sign and its supporting structure shall be removed by the property owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises. If the property owner or lessee fails to remove it within sixty days of the date the business becomes inactive, the Building Department representative may give the property owner thirty days' written notice to remove it. Upon failure to comply with this notice, the Building Department representative may remove the sign and its supporting structure at cost to the property owner.

Where a successor to an inactive business agrees, within thirty days of the date of written notice by the Building Department representative to maintain the sign as provided in this Code, this removal requirement shall not apply, provided that the existing sign and structure meets all current sign codes. (Ord. 213. Passed 4-11-90.)

#### 1480.16 VARIANCES. (REPEALED).

(EDITOR'S NOTE: Section 1480.16 was repealed by Ordinance 196, passed June 8, 1988. See Section 1480.163.)

#### 1480.163 VARIANCES.

The Sign Review Committee may hear requests for variances from this chapter, as described in Chapter 272 of the Administration Code. The Building and Zoning Administrator or the Sign Review Committee may require the applicant to present photographs of similar signs or color renderings, or to erect a temporary mock-up of the sign on the site prior to rendering a decision on a variance request. The Sign Review Committee shall review requests for variances for compliance with the following:

(a) Variances may be granted for any one of the following conditions:

(1) The applicant has demonstrated that a variance is needed due to a practical difficulty on the site, such as varied topography, horizontal or vertical road curvature, or the presence of structures or desired trees that limit visibility of a sign on the premises compared to similar sites with conforming signs in the same zoning district;

(2) A variance is warranted due to the relatively large size of the site, frontage or building in comparison to other establishments in the same zoning district; or

(3) A variance would significantly improve the conformity of an existing sign.

(b) To grant a variance for one of the conditions specified under subsection (a) hereof, all of the following standards must be met:

(1) The inability to conform to the provisions of this chapter is due to a hardship or practical difficulty that includes more than mere inconvenience or mere inability to attain a supposed higher financial return;

(2) The variance granted is the minimum necessary to allow the applicant to enjoy the same rights as other establishments in the same zoning district, have a reasonable outlet for free speech and meet the intent of this chapter; and

(3) The variance will not adversely affect the health, safety and welfare of the public.

(Ord. 243. Passed 6-10-98.)

#### 1480.165 EXCEPTIONS.

(a) Irregularly Shaped Parcels. If a parcel upon which linear street frontage is computed does not have its widest point abutting the street, the Building Department representative may calculate the allowable sign area by using the average parcel width which is parallel to the street upon which the business faces.

(b) Businesses Without Street Frontage. If an applicant has no street frontage for his or her business, the Building Department representative, upon request, may allow the applicant one additional sign which shall be on the nearest major street, conditioned upon the applicant obtaining written permission of the owner of the property upon which the sign is to be erected prior to the presentation of the application. The size of this sign may not exceed twenty-four square feet total (both sides) if projecting or free standing, or twelve square feet if flat wall.

(Ord. 213. Passed 4-11-90.)

#### 1480.17 ENFORCEMENT BY THE BUILDING DEPARTMENT.

The Building Department is hereby authorized and directed to enforce this chapter. Upon presentation of proper credentials, the Building Department representative may enter, at reasonable times, any building, structure or premises in the City to perform any duty imposed upon him or her by this chapter.

(Ord. 213. Passed 4-11-90.)

#### 1480.18 INTERPRETATION.

Where there is any ambiguity or dispute concerning the interpretation of this chapter, the decision of the Building Department representative shall prevail, subject to an appeal as provided in this chapter.

(Ord. 213. Passed 4-11-90.)



**1480.19 APPEALS; DUTIES OF COUNCIL.**

(a) Any person aggrieved by any decision or order of the Building Department representative may appeal to the Sign Review Committee by serving written notice, and by paying the fee for appeals, to the Building Department representative who, in turn, shall immediately transmit the notice to the Chairperson of the Committee. The fee for appeals shall be as established from time to time by Council. The notice of appeal shall then be addressed at the next regularly scheduled meeting of the Committee. The Building Department representative shall take no further action on the matter pending the Committee's decision, except in the case of an unsafe sign which presents an immediate and serious danger to the public, as provided elsewhere in this chapter.

(b) Any person aggrieved by a decision of the Committee may appeal to Council by serving written notice on the Building Department and by paying the appeal fee established by resolution of Council from time to time. The Building Department shall, in turn, immediately transmit the notice to Council which shall meet to hear the appeal within thirty days thereafter. The Building Department shall take no further action on the matter pending Council's decision, except in the case of an unsafe sign which presents an immediate and serious danger to the public, as provided elsewhere in this chapter.

(c) Council shall hold public hearings on all appeals and shall permit all interested persons to offer oral or written testimony. After the close of the hearing, Council, by a majority vote, is hereby authorized to affirm, annul or modify the order or action of the Sign Review Committee.

(d) A decision by the Council or Sign Review Committee permitting the erection or alteration of a sign or a structure for a sign shall be valid for a period of one year if a building permit for such erection or alteration is obtained within such period, and such erection or alteration is started and completed in accordance with the terms of such approval.

(e) An appeal to the Council or Sign Review Committee for erection or alteration of a sign or a structure for a sign which is approved shall preclude a new appeal for the same sign or structure for a sign for a period of one year from the date of the appeal.

(Ord. 213. Passed 4-11-90; Ord. 12-01. passed 6-13-12.)

1480.20 COSTS OF ENFORCEMENT.

Any costs or expenses incurred by the City in enforcing this chapter shall be paid by the owner of the sign found to be in violation of this chapter, or, upon default thereof, by the owner of the property upon which the sign is located, if different from the owner of the sign. Upon failure of the owner of the sign or the owner of the property to reimburse the City for costs and expenses incurred in such enforcement, the owner of the property shall be billed for such cost and expenses in the same manner as other taxes.

(Ord. 213. Passed 4-11-90.)

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1480.99 PENALTY.

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

2013 Replacement

## CHAPTER 1484

## Smoke Detectors

- |   |                                  |
|---|----------------------------------|
| 1484.01 Dwelling unit defined.                      | 1484.04 Sale, transfer, lease or |
| 1484.02 Standards; installation;<br>minimum number. | repair of dwelling units.        |
| 1484.03 Existing dwellings.                         | 1484.05 Compliance program.      |
|   | 1484.99 Penalty.                 |

## CROSS REFERENCES

BOCA National Fire Prevention Code - see F.P. Ch. 1610

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1484.01 DWELLING UNIT DEFINED.

As used in this chapter, "dwelling unit" means a building or portion thereof, with or without cooking facilities, designed for occupancy by one or more persons, whether permanently or temporarily, for residential purposes, including, but not limited to, a rooming house, apartment, mobile home, convalescent or nursing home, motel or hotel room, single-family residence and multifamily residence.

(Ord. 121. Passed 8-16-78.)

1484.02 STANDARDS; INSTALLATION; MINIMUM NUMBER.

(a) Each existing dwelling unit shall be provided with a minimum of one smoke detector capable of sensing visible or invisible products of combustion. The type of smoke alarm, device or system which is installed shall comply with the specifications of Underwriters' Laboratories, Inc., or any other nationally recognized laboratory standards, shall bear a label indicating that the detector has been so listed and

approved, and, when actuated, shall provide an alarm suitable to warn the occupants in the individual dwelling unit.

(b) The installation and maintenance of such alarm, device or system shall be in accordance with the requirements of the National Fire Protection Association's Pamphlet No. 74, incorporated by reference herein, except where otherwise superseded by this chapter.

(c) A minimum of one smoke detector shall be located in the immediate area of all sleeping quarters.

1484.03 EXISTING DWELLINGS.

All existing dwelling units shall be in compliance with the requirements of this chapter within three years from the effective date of this section (Ordinance 121. Passed August 16, 1978.)  
(Ord. 121. Passed 8-16-78.)

1484.04 SALE, TRANSFER, LEASE OR REPAIR OF DWELLING UNITS.

Notwithstanding Section 1484.03, no person shall sell, transfer, lease, rent or act as broker for the sale or transfer, or as landlord for the lease or rental, of a dwelling unit, or occupy a dwelling unit or allow it to be occupied after the sale, transfer, lease or rental thereof, or after any structural change or repair of a value in excess of three thousand dollars (\$3,000) has been made to the dwelling unit, unless the dwelling unit meets the requirements of Section 1484.02.  
(Ord. 121. Passed 8-16-78.)

1484.05 COMPLIANCE PROGRAM.

The Fire Chief or his or her designee shall establish a program to ensure Council that this chapter is being complied with, relative to the installation, maintenance and operation of smoke detectors.  
(Ord. 121. Passed 8-16-78.)

1484.99 PENALTY.

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

## CHAPTER 1486

## Telecommunications Systems and Services

EDITOR'S NOTE: This chapter, formerly a codification of Ordinance passed September 22, 1999, was repealed and re-enacted in its entirety upon the adoption of Ordinance 02-02, passed October 9, 2002, codified herein.

1486.01 Purpose.	1486.11 Modification of existing fees.
1486.02 Conflict.	1486.12 Savings clause.
1486.03 Definitions.	1486.13 Use of funds.
1486.04 Permit required.	1486.14 Annual report.
1486.05 Issuance of permit.	1486.15 Cable television operators.
1486.06 Construction/engineering permit.	1486.16 Existing rights.
1486.07 Conduit or utility poles.	1486.17 Compliance.
1486.08 Route maps.	1486.18 Reservation of police powers.
1486.09 Repair of damage.	1486.19 Authorized City officials.
1486.10 Establishment and payment of maintenance fee.	1486.99 Penalty.

## CROSS REFERENCES

Utilities generally - see CHTR. Chs. 22, 23

Franchises - see CHTR. Ch. 23

Construction and maintenance of facilities - see M.C.L.A. Secs. 247.183 et seq.

Television and radio generally - see M.C.L.A. Secs. 484.301 et seq., 750.507 et seq.

Cables improperly located; insurance - see M.C.L.A. Sec. 500.3123

Cable communications systems - see B.R. & T Ch. 806

## 1486.01 PURPOSE.

The purposes of this chapter are to regulate access to and ongoing use of public rights-of-way by telecommunications providers for their telecommunications facilities while protecting the public health,



safety, and welfare and exercising reasonable control of the public rights-of-way in compliance with the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act (Act No. 48 of the Public Acts of 2002) ("Act") and other applicable law, and to ensure that the City qualifies for distributions under the Act by modifying the fees charged to providers and complying with the Act.

(Ord. 02-02. Passed 10-9-02.)

2002 Replacement

## 1486.02 CONFLICT.

Nothing in this chapter shall be construed in such a manner as to conflict with the Act or other applicable law.

(Ord. 02-02. Passed 10-9-02.)

## 1486.03 DEFINITIONS.

(a) The terms used in this chapter shall have the following meanings:

- (1) "Act" means the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act (Act No. 48 of the Public Acts of 2002), as amended from time to time.
- (2) "City" means the City of Grand Blanc.
- (3) "City Council" means the City Council of the City of Grand Blanc or its designee. This section does not authorize delegation of any decision or function that is required by law to be made by the City Council.
- (4) "City Manager" means the City Manager or his or her designee.
- (5) "Permit" means a non-exclusive permit issued pursuant to the Act and this chapter to a telecommunications provider to use the public rights-of-way in the City for its telecommunications facilities.

(b) All other terms used in this chapter shall have the same meaning as defined or as provided in the Act, including without limitation the following:

- (1) "Authority" means the Metropolitan Extension Telecommunications Rights-of-Way Oversight Authority created pursuant to Section 3 of the Act.
- (2) "MPSC" means the Michigan Public Service Commission in the Department of Consumer and Industry Services, and shall have the same meaning as the term "Commission" in the Act.
- (3) "Person" means an individual, corporation, partnership, association, governmental entity, or any other legal entity,
- (4) "Public right-of-way" means the area, on, below, or above a public roadway, highway, street, alley, easement or waterway. Public right-of-way does not include a Federal, State, or private right-of-way.
- (5) "Telecommunications facilities" or "facilities" means the equipment or personal property,

such as copper and fiber cables, lines, wires, switches, conduits, pipes, and sheaths, which are used to or can generate, receive, transmit, carry, amplify, or provide telecommunication services or signals. Telecommunication facilities or facilities do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware used to provide federally licensed commercial mobile service as defined in Section 332(d) of Part I of Title III of the Communications Act of 1934, Chapter 652, 48 Stat. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 CFR 20.3, and service provided by any wireless, two-way communication device.

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(6) "Telecommunications provider," "provider" and "telecommunications services" mean those terms as defined in Section 102 of the Michigan Telecommunications Act, 1991 PA 179, M.C.L.A 484.2102. Telecommunication provider does not include a person or an affiliate of that person when providing a federally licensed commercial mobile radio service as defined in Section 332(d) of Part I of the Communications Act of 1934, Chapter 652, 48 Stats. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 CFR 20.3, or service provided by any wireless, two-way communication device. For the purpose of the Act and this chapter only, a provider also includes all of the following:

- A. A cable television operator that provides a telecommunications service.
- B. Except as otherwise provided by the Act, a person who owns telecommunication facilities located within a public right-of-way.
- C. A person providing broadband internet transport access service.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.04 PERMIT REQUIRED.

(a) Permit Required. Except as otherwise provided in the Act, a telecommunications provider using or seeking to use public rights-of-way in the City for its telecommunications facilities shall apply for and obtain a permit pursuant to this chapter.

(b) Application. Telecommunications providers shall apply for a permit on an application forth approved by the MPSC in accordance with Section 6(1) of the Act. A telecommunications provider shall file one copy of the application with the City Clerk, one copy with the City Manager and one copy with the City Attorney. Upon receipt, the City Clerk shall make one additional copy of the application and distribute a copy to the Mayor. Applications shall be complete and include all information required by the Act, including without imitation a route map showing the location of the provider's existing and proposed facilities in accordance with Section 6(5) of the Act.

(c) Confidential Information. If a telecommunications provider claims that any portion of the route maps submitted by it as part of its application contain trade secret, proprietary, or confidential information, which is exempt froth the Freedom of Information Act, 1976 PA 442, M.C.L.A. 15.231 to 15.246, pursuant

to Section 6(5) of the Act, the telecommunications provider shall prominently so indicate on the face of each map.

(d) Application Fee. Except as otherwise provided by the Act, the application shall be accompanied by a one-time non-refundable application fee in the amount of five hundred dollars (\$500.00).

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(e) Additional Information. The City Manager may request an applicant to submit such additional information which the City Manager deems reasonably necessary or relevant. The applicant shall comply with all such requests in compliance with reasonable deadlines for such additional information established by the City Manager. If the City and the applicant cannot agree on the requirement of additional information requested by the City, the City or the applicant shall notify the MPSC as provided in Section 6(2) of the Act.

(f) Previously Issued Permits. Pursuant to Section 5(1) of the Act, authorizations or permits previously issued by the City under Section 251 of the Michigan Telecommunications Act, 1991 PA 179, M.C.L.A. 484.2251 and authorizations or permits issued by the City to telecommunications providers prior to the 1995 enactment of Section 251 of the Michigan Telecommunications Act but after 1985 shall satisfy the permit requirements of this chapter.

(g) Existing Providers. Pursuant to Section 5(3) of the Act, within 180 days from November 1, 2002, the effective date of the Act, a telecommunications provider with facilities located in a public right-of-way in the City as of such date, that has not previously obtained authorization or a permit under Section 251 of the Michigan Telecommunications Act, 1991 PA 179, M.C.L.A. 484.2251, shall submit to the City an application for a permit in accordance with the requirements of this chapter. Pursuant to Section 5(3) of the Act, a telecommunications provider submitting an application under this division (g) is not required to pay the five hundred dollar (\$500.00) application fee required under division (c) of this section. A provider under this division (g) shall be given up to an additional 180 days to submit the permit application if allowed by the Authority, as provided in Section 5(4) of the Act.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.05 ISSUANCE OF PERMIT.

(a) Approval or Denial. The authority to approve or deny an application for a permit is hereby delegated to the City Manager. Pursuant to Section 15(3) of the Act, the City Manager shall approve or deny an application for a permit within 45 days from the date a telecommunications provider files an application for a permit under Section 1486.04(b) of this chapter for access to a public right-of-way within the City. Pursuant to Section 6(6) of the Act, the City Manager shall notify the MPSC when the City Manager has granted or denied a permit, including information regarding the date on which the application

was filed and the date on which permit was granted or denied. The City Manager shall not unreasonably deny an application for a permit.

(b) Form of Permit. If an application for permit is approved, the City Manager shall issue the permit in the form approved by the MPSC, with or without additional or different permit terms, in accordance with Sections 6(1), 6(2) and 15 of the Act.

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(c) Conditions. Pursuant to Section 15(4) of the Act, the City Manager may impose conditions on the issuance of a permit, which conditions shall be limited to the telecommunications provider's access and usage of the public right-of-way.

(d) Bond Requirement. Pursuant to Section 15(3) of the Act, and without limitation of division (c) of this section, the City Manager may require that a bond be posted by the telecommunications provider as a condition of the permit. If a bond is required, it shall not exceed the reasonable cost to ensure that the public right-of-way is returned to its original condition during and after the telecommunications provider's access and use.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.06 CONSTRUCTION/ENGINEERING PERMIT.

A telecommunications provider shall not commence construction upon, over, across, or under the public rights-of-way in the City without first obtaining a construction or engineering permit as required under this Code, as amended, for construction within the public rights-of-way. No fee shall be charged for such a construction or engineering permit.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.07 CONDUIT OR UTILITY POLES.

Pursuant to Section 4(3) of the Act, obtaining a permit or paying the fees required under the Act or under this chapter does not give a telecommunications provider a right to use conduit or utility poles.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.08 ROUTE MAPS.

Pursuant to Section 6(7) of the Act, a telecommunications provider shall, within 90 days after the substantial completion of construction of new telecommunications facilities in the City, submit route maps showing the location of the telecommunications facilities to both the MPSC and to the City. The route maps should be in paper format unless and until the Commission determines otherwise, in accordance with Section 6(8) of the Act.

(Ord. 02-02. Passed 10-9-02.)



1486.09 REPAIR OF DAMAGE.

Pursuant to Section 15(5) of the Act, a telecommunications provider undertaking an excavation or construction or installing telecommunications facilities within a public right-of-way or temporarily obstructing a public right-of way in the City, as authorized by a permit, shall promptly repair all damage done to the street surface and all installations under, over, below, or within the public right-of-way and shall promptly restore the public right-of-way to its pre-existing condition.

(Ord. 02-02. Passed 10-9-02.)

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#### 1486.10 ESTABLISHMENT AND PAYMENT OF MAINTENANCE FEE.

In addition to the non-refundable application fee paid to the City set forth in Section 1486.04(d) of this chapter, a telecommunications provider with telecommunications facilities in the City's public rights-of-way shall pay an annual maintenance fee to the Authority pursuant to Section 8 of the Act. (Ord. 02-02. Passed 10-9-02.)

#### 1486.11 MODIFICATION OF EXISTING FEES.

In compliance with the requirements of Section 13(1) of the Act, the City hereby modifies, to the extent necessary, any fees charged to telecommunications providers after November 1, 2002, the effective date of the Act, relating to access and usage of the public rights-of-way, to an amount not exceeding the amounts of fees and charges required under the Act, which shall be paid to the Authority. In compliance with the requirements of Section 13(4) of the Act, the City also hereby approves modification of the fees of providers with telecommunication facilities in public rights-of-way within the City's boundaries, so that those providers pay only those fees required under Section 13(4) of the Act. The City shall provide each telecommunications provider affected by the fee with a copy of this chapter in compliance with the requirement of Section 13(4) of the Act. To the extent any fees are charged telecommunications providers in excess of the amounts permitted under the Act, or which are otherwise inconsistent with the Act, such imposition is hereby declared to be contrary to the City's policy and intent, and upon application by a provider or discovery by the City, shall be promptly refunded as having been charged in error. (Ord. 02-02. Passed 10-9-02.)

#### 1486.12 SAVINGS CLAUSE.

Pursuant to Section 13(5) of the Act, if Section 8 of the Act is found to be invalid or unconstitutional, the modification of fees under Section 1486.11 of this chapter shall be void from the date the modification was made. (Ord. 02-02. Passed 10-9-02.)

#### 1486.13 USE OF FUNDS.

Pursuant to Section 10(4) of the Act, all amounts received by the City from the Authority shall be used by the City solely for rights-of-way related purposes. In conformance with that requirement, all funds received by the City from the Authority shall be deposited into the Major Street Fund and/or the Local

Street Fund maintained by the City under Act No. 51 of the Public Acts of 1951.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.14 ANNUAL REPORT.

Pursuant to Section 10(5) of the Act, the City Manager shall file an annual report with the Authority on the use and disposition of funds annually distributed by the Authority.

(Ord. 02-02. Passed 10-9-02.)

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#### 1486.15 CABLE TELEVISION OPERATORS.

Pursuant to Section 13(6) of the Act, the City shall not hold a cable television operator in default or seek any remedy for its failure to satisfy an obligation, if any, to pay after November 1, 2002, the effective date of this Act, a franchise fee or similar fee on that portion of gross revenues from charges the cable operator received for cable modem services provided through broadband internet transport access services.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.16 EXISTING RIGHTS.

Pursuant to Section 4(2) of the Act, except as expressly provided herein with respect to fees, this chapter shall not affect any existing rights that a telecommunications provider or the City may have under a permit issued by the City or under a contract between the City and a telecommunications provider related to the use of the public rights-of-way.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.17 COMPLIANCE.

The City hereby declares that its policy and intent in adopting this chapter is to fully comply with the requirements of the Act, and the provisions hereof should be construed in such a manner as to achieve that purpose. The City shall comply in all respects with the requirements of the Act, including but not limited to the following:

- (a) Exempting certain route maps from the Freedom of Information Act, 1976 PA 442, M.C.L.A. 15.231, 215.246, as provided in Section 1486.04(c) of this chapter;
- (b) Allowing certain previously issued permits to satisfy the permit requirements hereof, in accordance with Section 1486.04(f) of this chapter;
- (c) Allowing existing providers additional time in which to submit an application for a permit, and excusing such providers from the five hundred dollar (\$500.00) application fee, in accordance with Section 1486.04(g) of this chapter;
- (d) Approving or denying an application for a permit within 45 days from the date a telecommunications provider files an application for a permit for access to and usage of a public right-of-way within the City, in accordance with Section 1486.05(a) of this chapter;
- (e) Notifying the MPSC when the City has granted or denied a permit, in accordance with Section

1486.05(a) of this chapter;

- (f) Not unreasonably denying an application for a permit, in accordance with Section 1486.05(a) of this chapter;
- (g) Issuing a permit in the form approved by the MPSC, with or without additional or different permit terms, as provided in Section 1486.05(b) of this chapter;
- (h) Limiting the conditions imposed on the issuance of a permit to the telecommunications provider's access and usage of the public right-of-way, in accordance with Section 1486.05(c) of this chapter;

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- (i) Not requiring a bond of a telecommunications provider which exceeds the reasonable cost to ensure that the public right-of-way is returned to its original condition during and after the telecommunication provider's access and use, in accordance with Section 1486.05(d) of this chapter;
  - (j) Not charging any telecommunications providers any additional fees for construction or engineering permits, in accordance with Section 1486.06 of this chapter;
  - (k) Providing each telecommunications provider affected by the City's right-of-way fees with a copy of this chapter, in accordance with Section 1486.11 of this chapter;
  - (l) Submitting an annual report to the Authority, in accordance with Section 1486.14 of this chapter; and
  - (m) Not holding a cable television operator in default for a failure to pay certain franchise fees, in accordance with Section 1486.15 of this chapter.
- (Ord. 02-02. Passed 10-9-02.)

#### 1486.18 RESERVATION OF POLICE POWERS.

Pursuant to Section 15(2) of the Act, this chapter shall not limit the City's right to review and approve a telecommunication provider's access to and ongoing use of a public right-of way or limit the City's authority to ensure and protect the health, safety, and welfare of the public.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.19 AUTHORIZED CITY OFFICIALS.

The City Manager or his or her designee is hereby designated as the authorized City official to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction violation notices (directing alleged violators to appear at the municipal chapter violations bureau) for violations under this chapter as provided by the City Code.

(Ord. 02-02. Passed 10-9-02.)

#### 1486.99 PENALTY.

A person who violates any provision of this chapter is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than five hundred dollars (\$500.00) and not more than five thousand dollars (\$5,000), plus costs and other sanctions, for each infraction. Each day that a violation

continues shall be a separate infraction. Repeat offenses under this chapter shall be subject to increased fines as follows:

- (a) First Repeat Offense. Not less than one thousand dollars (\$1,000) and not more than ten thousand dollars (\$10,000).
- (b) Second and Subsequent Repeat Offense. Not less than two thousand dollars (\$2,000) and not more than twenty thousand dollars (\$20,000).  
(Ord. 02-02. Passed 10-9-02.)

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## CHAPTER 1488

## Blight

1488.01 Purpose.

1488.04 Enforcement.

1488.02 Definitions.

1488.99 Penalty.

1488.03 Prohibited conduct.

## 1488.01 PURPOSE.

It is the purpose of this chapter to prevent, reduce or eliminate blight in the City by the prevention or elimination or contributing factors and causes of blight which exist or which may in the future exist in the City.

(Ord. 06-02. Passed 6-14-06.)

## 1488.02 DEFINITIONS.

The following words or terms, when used herein, shall be deemed to have the meanings set forth below:

- (a) **ABlighted structure@** means any dwelling, garage, accessory or outbuilding, or any factory, shop, store, office building, warehouse, or any other structure or part of a structure which:
- (1) Because of fire, wind, other natural disaster, or physical deterioration, is no longer habitable as a dwelling or useful for the purpose for which it was originally intended;
  - (2) Is partially completed and which is not presently being constructed under an existing, valid building permit issued by or under the authority of the City;
  - (3) Is not structurally sound, weather-tight, waterproof or vermin-proof; or
  - (4) Is not covered by a water resistant paint or other waterproof covering so as to protect said structure from the adverse effects of the elements or from physical deterioration.
- (b) **ABuilding material@** means any lumber, bricks, concrete, cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, cement, nails, screws, or other materials commonly used in the construction or repair of any buildings or structures.



- (c) "Enforcement officer" means a Grand Blanc City Police Officer.
- (d) "Junk" means any abandoned, discarded, unusable objects or equipment, any object or equipment unused for its originally intended purpose, including, but not limited to, furniture, stove, refrigerators, freezers, cans, implements, watercraft, parts of motor vehicles, machinery, cloth, rubber, bottles, any metals, boxes, cartons, or crates.
- (e) "Person" means any natural person, firm, association, partnership, limited liability company or corporation.
- (f) "Unsecured vacant building" means any building which is unoccupied and which is not securely locked, the windows glazed or of which is not securely boarded up and protected against the elements, from vandals, and from rodents and/or other animals.

(Ord. 06-02. Passed 6-14-06.)

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#### 1488.03 PROHIBITED CONDUCT.

Except as may otherwise be permitted by the holding of a specific business license or by other ordinances of the City or State or Federal law, no person in the City shall:

- (a) Store, accumulate, or permit the storage or accumulation of junk on premises owned, leased, rented, or occupied by him or her unless such junk is stored or accumulated for the purposes of collection and disposal, in which case such junk shall be stored or accumulated in a closed container, if possible, or in a closed structure. If it is impossible to store or accumulate such junk in a closed container or closed structure, such junk shall be covered in a manner sufficient to prevent such materials from causing dust and debris to be blown about or spread to other areas. Junk may be stored or accumulated in such manner only for the minimum period necessary to provide for collection and disposal of same.
- (b) Store, accumulate, or permit the storage or accumulation of any building materials on property owned, leased, rented or occupied by him or her for any period longer than reasonably necessary for the immediate use of such materials, but in no event longer than sixty days.
- (c) Keep or permit the existence of any unsecured vacant building on property owned, leased, rented or occupied by him or her.
- (d) Keep or permit the existence of any blighted structure on property owned, leased, rented or occupied by him or her.

(Ord. 06-02. Passed 6-14-06.)

#### 1488.04 ENFORCEMENT.

Before commencing prosecution under this chapter, the enforcement officer shall give notice to the person charged with violating this chapter. Such notice shall be in writing, and shall be served upon said person or, at the option of the enforcement officer, by posting a copy of this notice on the land or attaching a copy of the notice to the building or structure. In addition, a copy of the notice shall be sent by first class mail to the owner of the land, building, or structure at the owner's last known address. The notice shall specify that failure to remedy the violation within ten days of the date of personal service or twelve days from the date of mailing shall result in the issuance of a misdemeanor citation.

(Ord. 06-02. Passed 6-14-06.)

#### 1488.05 PENALTY.

(a) Any person failing to comply with a notice of violation or order served in accordance with Section 1488.04 shall be deemed guilty of a misdemeanor, punishable by up to ninety days in jail and/or a fine up to five hundred dollars (\$500.00), or both. Each day that a violation continues after notice has been served shall be deemed a separate offense.

(b) The imposition of the penalties herein prescribed shall not preclude the City Attorney or other legal officer of Grand Blanc from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

(Ord. 06-02. Passed 6-14-06.)

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TITLE SIX - Housing

Chap. 1490. Supplied Facilities, Maintenance and Occupancy of  
Dwellings and Dwelling Units. (Repealed)

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CHAPTER 1490

Supplied Facilities, Maintenance and  
Occupancy of Dwellings and Dwelling Units (Repealed)

EDITOR'S NOTE: Chapter 1490 was repealed by Ordinance 04-06, passed  
January 12, 2005. See Chapter 1414 for current Property Maintenance Code  
provisions.

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