

ORDINANCE NO. 28

An Ordinance to Promote the Health, Safety, and Welfare of the Inhabitants of the Village of Grand Beach by Regulating the Light, Ventilation, Sanitation, Fire Protection, Construction, Maintenance, Alteration and Improvement of Dwellings and Other Structures, to Establish Administrative Requirements, and to Establish Remedies and Fix Penalties for the Violation Thereof.

The Village of GRAND BEACH Ordains:

ARTICLE I--GENERAL PROVISIONS

SECTION 1. Short Title. This ordinance shall be known as "The Building Ordinance of the Village of Grand Beach, and may be referred to or cited by that title.

SECTION 2. Interpretation. In interpreting and applying the provisions of this ordinance they shall be held to be the minimum requirements for the promotion of the public health, safety and welfare of the inhabitants of the Village.

SECTION 3. Enforcement. The provisions of this ordinance shall be enforced by the Building Inspector of the Village of Grand Beach and/or the Health Officer of the Village of Grand Beach.

SECTION 4. Validity. Should any section, clause or provision of this ordinance be declared unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part declared to be unconstitutional or invalid.

SECTION 5. Definitions. Technical words used in this ordinance shall be held to have the meaning ascribed to them by the Michigan Housing Act, being Act 167 of the Public Acts of 1917 as amended, unless the context clearly indicates a different meaning.

SECTION 6. Construction to Conform Hereto. No new dwelling or other building shall be constructed within the Village except in conformity with the provisions of this ordinance. No existing dwelling or other building shall be altered except in conformity with the provisions of this ordinance. If any dwelling or other building, or any part thereof, shall be occupied by more persons than permitted under the terms of this ordinance, or shall be erected, altered or occupied contrary to the provisions hereof, such dwelling or other building shall be deemed an unlawful structure and the Health Officer or the Building Inspector may cause such buildings to be vacated, and it shall not be occupied until it or its occupation, shall be made to conform herewith.

SECTION 7. Damaged Dwellings. A dwelling damaged by fire, collapse or act of God to such an extent that the cost of repair and reconstruction exceeds three-fourths of the Village assessed valuation thereof at the time the damage occurred, shall not be repaired or reconstructed except in conformity with the provisions of this ordinance relative to new dwellings hereafter erected.

SECTION 8. Moving Buildings. If any dwelling, or other building shall hereafter be moved from one lot to another, it shall thereupon be made to conform to the provisions of this ordinance relative to new dwellings hereafter erected. No building shall be moved from one place to another without a written permit therefor from the Building Inspector.

ARTICLE II--PERMITS AND INSPECTION

SECTION 1. Building Permit. No building or other structure shall be erected, remodeled, altered or repaired within the Village of Grand Beach until a building permit therefor shall have been duly issued by the Building inspector. All applications for permits shall be upon oath and shall be accompanied by working plans and specifications showing in reasonable detail the nature and extent of the proposed work, and shall set forth the estimated cost thereof, location of the premises, and such other information as will fully inform the Building Inspector with respect thereto. The Village shall receive a fee of Five Dollars (\$5.00) for each residential and Ten Dollars (\$10.00) for each commercial building permit issued, and One Dollar (\$1.00) for each repair permit involving repairs not exceeding One Hundred Dollars (\$100.00), which shall be paid at the time of filing application, and shall be in full of all fees for the Building permit, the subsequent intermediary inspection, and the final certificate of compliance. At the time of issuing a building permit, the Building Inspector shall also issue a printed card carrying the legend, "Building Permit Granted," which shall be dated and signed by the inspector. This card shall be placed in a prominent place upon the exterior of every structure being erected, altered or repaired.

SECTION 2. Intermediary Inspections New Construction. During the course of construction of a new dwelling or other building, the Building Inspector shall make the following intermediary inspections: (a) when the foundation is completed; (b) when the joists and studding have been set; (c) when the plumbing, heating and electrical work has been roughed in but before the walls and partitions have been lathed or otherwise enclosed; (d) when the building is completed; and at such other times as in the judgment of the Building Inspector inspection may be necessary. The Building inspector shall make each inspection promptly, after notice, and no further work shall be undertaken until each required inspection has been made and written intermediary approval granted.

SECTION 3. Remodeling. In work involving the alteration of or repairs to existing dwellings of other buildings, the Building Inspector shall make such intermediary

inspections as may be necessary considering the nature and extent of the alterations and/or repairs. In each such case the Building Inspector shall note upon the building permit the particular stages of the work which in his judgment should be inspected. It shall be the duty of the owner or contractor performing the work to give the Building Inspector notice when the work has reached such inspection stage and he shall not proceed with the work until such inspection has been made and intermediary approval issued.

SECTION 4. Non-Complying Work. In the event any inspection shall disclose that work completed prior thereto does not in all respects conform to the provisions of this ordinance, the owner or contractor doing the work shall not proceed further until such non-complying work shall have been made to conform thereto.

SECTION 5. Certificate of Compliance. No dwelling or other building hereafter erected or remodeled shall be occupied, in whole or in part, for human habitation or use until after the issuance of a certificate of compliance by the Building Inspector following final inspection, setting forth that the building so erected or remodeled substantially conforms in an respects to the requirements of this ordinance. Such certificate shall be issued within ten (10) days after application therefor, if such dwelling or other structure shall at the date of final inspection be entitled thereto.

ARTICLE III--LIGHT, VENTILATION, SIZE AND ARRANGEMENT OF ROOMS

SECTION 1. Rooms. Every dwelling or suite or group of rooms comprising a family dwelling unit hereafter erected or substantially remolded shall provide not less than four habitable rooms (exclusive of basement and attic rooms) and one bathroom.

(a) One such habitable room shall be designed for living use and shall be referred to as the "living room" and shall have a floor area of not less than one hundred sixty (160) square foot. Where no dining space is provided within the dwelling except in the living room, such living room shall have a floor area of not less than two hundred (200) square feet.

(b) One such habitable room shall be designed for sleeping use and shall have a floor area or not less than one hundred (100) square feet and shall be referred to as the "major bedroom."

(c) One such habitable room shall be designed for a kitchen and shall have a floor area of not less than sixty (60) square feet. Where the kitchen contains dining space in addition, the floor area shall be increased to a minimum of eighty (80) square feet. All kitchens shall contain a suitable sink properly located to facilitate food preparation and dishwashing.

(d) Each of the other habitable rooms shall have a floor area .of not less than eighty (80) square feet.

(e) The bathroom shall be of adequate size and shall contain (1) a water closet, (2) a lavatory, and (3) either a tub or shower bath.

(f) No room on the first floor shall be less than eight (8) feet in height, and no room on the second floor shall be less than seven feet six inches (7' 6") in height. No habitable room shall be in any part less than seven (7) feet wide.

SECTION 2. Overcrowding. No dwelling or suite or group of rooms comprising a family dwelling unit hereafter erected or substantially remodeled shall be so designed or shall be so occupied as to provide less than eight hundred (800) cubic feet of air space per occupant, exclusive of bathroom, toilet rooms, closets, basement, cellars, stairways, attics and other uninhabitable space.

SECTION 3. Light and Ventilation. (a) In every dwelling hereafter erected or substantially remodeled every room shall have at least one window or windows opening to the street or yard equal to one-eighth of the floor area of the room, at least one of which shall be not less between stop beads than ten (10) square feet for living room, eight (8) square feet for bedrooms, dining rooms or kitchens and six (6) square feet for bathrooms or toilet rooms.

(b) For the purpose of ventilation, not less than forty per cent (40%) of the required window area in each room shall be capable of being opened.

(c) When required windows face upon porches which are completely enclosed with glazed windows or doors, the percentage requirement given above under (a) and (b) shall be doubled.

(d) Basements not used as living quarters shall be ventilated and lighted by windows or doors in exterior walls having a glazed and ventilated area, capable of being opened, of not less than two and one-half per cent (2½ %) of the floor area of the basement. If the basement is divided into compartments or rooms, each room shall be governed by the requirements hereof, except fruit cellars, photographic dark rooms or rooms or similar character.

(e) Windows opening into courts not open to the sky and at least ten (10) feet in width and length shall not be counted in determining the minimum requirements set forth in the preceding subparagraphs of this section.

SECTION 4. Room Arrangement. (a) In every dwelling hereafter erected or substantially remodeled each door opening which provides entrance to a bedroom, a bathroom, or a toilet room shall be provided with a solid panel, hinged door capable of being closed.

(b) In every dwelling hereafter erected or substantially remodeled, access to every living room and to every bedroom shall be had without passing through a bedroom or a room used as a bedroom, or through a room containing a water closet.

(c) In every dwelling hereafter erected or substantially remodeled, access to water closets shall be possible from all bedrooms without passing through another bedroom or a room used as a bedroom.

SECTION 5. Storage and Closet Space. All dwellings hereafter erected or substantially remodeled shall contain ample storage and closet space.

SECTION 6. Temporary Buildings. It shall be unlawful to erect any structure which is intended to be occupied in whole or in part as a temporary dwelling unless it complies with the provisions of this ordinance. All sub-standard temporary dwellings or garages which have heretofore been erected or so occupied are hereby declared to be unlawful dwellings and shall be vacated within a period of six months after the passage of this ordinance, or altered to comply with the provisions hereof. Buildings erected as garages shall in no case be occupied as dwellings unless they comply with all of the provisions of this ordinance.

ARTICLE IV--SANITATION

SECTION 1. Basement Rooms. No rooms in the basement of any building shall be occupied for living purposes (except as a game or recreation room) unless in addition to all other requirements of this ordinance such room shall have one-half of its height from floor to ceiling above the ground elevation and shall have light and ventilation as required by Article III, Section 3, and shall be well drained and waterproofed, and shall be in every way fit for human habitation.

SECTION 2. Protection from Dampness. Every dwelling or other building hereafter erected shall have a basement, cellar or excavated space under the entire first floor, at least three (3) feet in depth or shall be elevated above the ground so that there will be a clear air space of at least twenty-four (24) inches between the top of the ground and the bottom of the floor to insure ventilation and protection from dampness, such space in all cases shall be enclosed and shall be provided with ample ventilation and shall be properly drained. Buildings may be built with the first floor resting directly on the ground if, and only if, all precautions and necessary measures are taken to protect such floor

and living space located thereon from dampness in accordance with approved modern practice.

SECTION 3. All courts, areas and yards surrounding every dwelling or other building shall be properly graded and drained.

SECTION 4. Plumbing Fixtures. In all dwellings and other buildings hereafter erected or substantially remodeled, all plumbing fixtures, including kitchen sinks, shall be of an approved, modern type, shall be connected to the water supply system, shall be trapped, connected to suitable four (4) inch cast iron waste stacks and shall be properly vented. All waste lines shall be pitched to drain. No plumbing fixtures shall be enclosed or encased in such a manner as to interfere with the circulation of air underneath such fixtures or to prevent accessibility to traps or piping arrangements. All pipes shall be exposed when so required by the Building Inspector or Health Officer. All water closets shall be located indoors and shall be of the modern flush type. Chemical toilets and vault type toilets are prohibited.

SECTION 5. State Plumbing Code Adopted. All plumbing work shall be done in accordance with the requirements of the Michigan State Plumbing Code, as now existing or hereafter amended, the detailed provisions of said code being hereby adopted as a Village ordinance under the authority of Section 30 of the Charter of the Village of Grand Beach. The Building Inspector is hereby directed to obtain copies of said code and to make the same available to the public upon request.

SECTION 6. Water Supply. In all cases where public water mains are reasonably accessible, all dwellings or other buildings hereafter erected or substantially remodeled shall be connected thereto. No dwelling shall be connected to a private well unless the type, construction and location thereof, and the purity of the water therefrom, shall be approved in writing by the Health Officer.

SECTION 7. Sewage Disposal. All systems for the disposal of sewage shall be of a modern, approved type, and of adequate capacity. The Building Inspector and the Health Officer are hereby authorized to adopt reasonable rules and regulations governing, the types, capacity and construction of sewage disposal system.

SECTION 8. Waste Receptacles. The owner or occupant of every dwelling now existing or hereafter erected shall provide for such dwelling, keep clean and in place, proper covered receptacle of non-absorbent material for garbage, ashes, rubbish, and other waste matter. Every dwelling and every part thereof and the lot surrounding the same shall be kept clean and free from any accumulation of dirt, filth, rubbish, garbage or other offensive matter.

SECTION 9. Animals and Junk. No horse, cow, calf, swine, sheep, goat, chickens, geese or ducks shall be kept upon the same lot or premises with a dwelling, nor shall any dwelling or the lot or premises surrounding the same be used for the storage or handling of rags, junk or other waste material

SECTION 10. Dangerous or Offensive Materials. No dwelling, nor any part thereof, nor the lot upon which it is situated, shall be used for the storage, keeping or handling of any articles dangerous or detrimental to life or health, nor of any combustible article except under such conditions as may be prescribed by the Village Superintendent under the authority of a written permit issued by him.

SECTION 11. Unsanitary Devices to Be Removed. All privy vaults, school sinks, cesspools, or other receptacles used to receive fecal matter, urine or sewage, now in existence, shall, with their contents, be completely removed, and the place where they were located properly disinfected. All such devices shall be replaced with approved type sewage disposal systems required under Section 7 of this Article within six months after the passage of this ordinance.

SECTION 12. Water Closets in Cellars. No water closet shall be maintained in the cellar of any dwelling without a permit in writing from the Building inspector, who shall have power to make rules and regulations governing the maintenance of such water closet.

ARTICLE V--CONSTRUCTION

SECTION 1. Footings. All dwellings hereafter erected shall be provided with concrete footings, the top of which shall be at least three feet six inches (3' 6") below ground level. Footings shall be at least eight (8) inches wider than the foundation walls and shall be at least ten (10) inches deep. In all commercial buildings hereafter erected footings shall be of such size and construction as will adequately support the building, due consideration being given to the weight thereof and the type of soil in which the same are located.

SECTION 2. Foundation Walls. In all dwellings hereafter erected, foundation or basement walls shall be constructed of stone, brick, concrete or other approved incombustible material, and shall be at least eight (8) inches thick. All basement walls shall be suitably waterproofed on the outside. In commercial buildings, foundation walls shall be of such construction, material and thickness as to adequately support the building.

SECTION 3. Girders. In all dwellings and other buildings hereafter elected or substantially remodeled, girders shall be of ample size to carry the weight supported

thereon, shall be firmly set, and shall be supported where necessary by suitable wood or steel posts set on adequate footings.

SECTION 4. Sills. In all dwellings or other buildings hereafter erected, sills shall be firmly bolted to basement walls with bolts firmly set deep in the masonry. A termite shield of rust-resistant metal shall be set between the sill and masonry.

SECTION 5. Joists. All wooden floor joists shall be at least two inches by eight inches (2"x8") in size on the first floor and at least two inches by six inches (2"x6") in size on the second floor, and shall lie placed no more than sixteen (16) inches apart. Where two joists meet at a bearing, partition or girder, they shall overlap. Joists between masonry walls involving a span in excess of twenty (20) feet shall tie supported by intermediate girders. Where concrete or metal joists are used, they shall be of such size and shall be so placed as to insure adequate support to the building and its contents.

SECTION 6. Subflooring. In all dwellings hereafter erected, subflooring shall be laid upon the joists before the finished floor is laid. Subflooring shall where possible be laid diagonally to add rigidity to the building. Where concrete or other type of floor is used, details of the construction thereof shall first be approved by the Building Inspector.

SECTION 7. Studding. In all dwellings or other buildings hereafter erected, all wooden studdings shall be at least two inches by four inches (2"x4") in size and shall be nailed at the bottom to bottom plate. Studs shall be not more than sixteen (16) inches apart. Ceiling joists shall rest upon double top plates or upon a ribband cut into the studs. Suitable braces shall be provided where necessary and all corner posts shall be properly built up. Fire stops shall be provided between studs at each floor level and also between floors where practicable.

SECTION 8. Rafters. Where wooden rafters are used they shall be at least two inches by four inches (2"x4") in size and shall be firmly secured at the bottoms to double top plates on top of the stud sections, forming a firm base for the roof skeleton. At the peak of the roof, rafters shall be reinforced by a ridge board.

SECTION 9. Wall Sheathing. In all dwellings hereafter erected using wooden wall sheathing, the same shall be made of sound lumber without knot holes and shall be nailed on diagonally to add strength to the walls. Where sheathing of other material than wood is used, details of construction shall first be approved by the Building Inspector.

SECTION 10. Roofing. In all dwellings or other buildings hereafter erected and in all dwellings hereafter re-roofed, all roofing shall be of tile, slate, metal or composition asphalt shingles or other approved fire resistant materials, laid upon proper roof sheathing. In all cases where composition shingles are used, they shall overlap properly

to prevent leakage and shall be laid over a layer of approved type waterproof paper. Flashing of rust-resistant metal shall be provided around chimneys, dormers and along valleys caused by gables.

SECTION 11. Heating, water supply and waste pipes, heating ducts, and electrical wiring shall be so installed as not to weaken joists and other supports. Notching shall be avoided wherever possible.

SECTION 12. Chimneys. All chimneys shall be properly built up in approved fashion and equipped with suitable flues. Chimneys shall be framed away from the wooden parts of the building so that no wooden rafters, studs or joists shall be in contact therewith.

SECTION 18. Oil Burners. The provisions of Act 319 of the Public Acts of 1929, as amended, relating to the use, handling, storage and sale of fuel oil and the arrangement, design, construction and installation of burners, tanks and other equipment for the burning of fuel oil for heating purposes are hereby adopted as part of this ordinance.

ARTICLE VI--ELECTRICAL WORK

SECTION 1. General. In every dwelling hereafter erected or remodeled, the construction and installation of electrical wiring and electrical devices used therein shall be in conformity with approved modern standards of construction and installation.

SECTION 2. Conduit. In new dwellings or other buildings hereafter erected all wiring shall be installed in rigid metal conduit wherever possible. The inner diameter of all conduit shall be one-third larger than the combined diameter of the wires contained therein and in no case smaller than one-half (1/2) inch. Conduit shall run as nearly straight as possible between outlets and switches. Bends shall be so made that the conduit shall not be injured.

SECTION 3. In all dwellings or other buildings hereafter remodeled, altered or repaired, either flexible metal conduit or rigid metal conduit may be used.

SECTION 4. Splicing. Joints and splicing in wires will only be permitted at junctions or outlet boxes, never inside conduit. All joints shall be firmly soldered without acid, and taped, first with rubber tape and then with friction tape equivalent in thickness to the insulation of the wire.

SECTION 5. Boxes and Switches. Wiring shall terminate at all outlets in stamped steel outlet boxes of approved make. Boxes for fixture outlets shall have suitable studs for the

support of the fixtures so arranged that the weight of the fixture will not come on the outlet box. All outlets and switches must be of approved standard quality in type and workmanship.

SECTION 6. Panel Boards. All panel boards shall be of approved safety type in steel box with steel door. All switches, bars, clips, etc., shall be of approved pattern, well secured and of ample capacity.

SECTION 7. Flexible Cord. Flexible cord shall be used only for pendants, wiring of fixtures, and portable appliances or when necessary to use plug and receptacle connections to facilitate interchange of devices.

ARTICLE VII--ENFORCEMENT

SECTION 1. Defective Buildings--Order to Vacate. Whenever it shall be certified by the Building Inspector or Health Officer that a dwelling is infected with contagious disease, or that it is unfit for human habitation or dangerous to life or health because of want of repairs or of defects in the drainage, plumbing, lighting, ventilation, or in the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness, the Building Inspector or the Health Officer may issue an order requiring all persons therein to vacate such dwelling within not less than twenty-four (24) hours or more than ten (10) days for the reasons to be mentioned in said order. In case the order is not complied with within the time specified, the Health Officer or the Building Inspector may cause such dwelling to be vacated and the same shall not be re-occupied until such time as the defects have been remedied.

SECTION 2. Abatement of Nuisances. Whenever any dwelling or other building or any structure, excavation, pursuit, matter or thing in or about such dwelling or other building, or the lot upon which the same is situated, or the plumbing, sewage, drainage, light or ventilation thereof is, in the opinion of the Health Officer or the Building Inspector, in effect dangerous to life or health (or to property because of the danger of fire), the Health Officer or the Building Inspector may designate the same, to the extent he may specify, as a public nuisance, and may order the same to be removed, abated, suspended, altered or purified, as the order shall specify.

SECTION 3. Entrance for Inspection. The Health Officer and / or the Building Inspector may without fee or hindrance, enter, examine and survey all dwellings or structures in any part of the Village. The owner or his agent or representative, and the occupant or lessee of every building, or other person having the care and management thereof, shall give such official free access thereto upon request at all reasonable times.

SECTION 4. Board of Appeal. In order that the provisions of this ordinance may be

reasonably applied and substantial justice done in instances where practical difficulties are apparent or unnecessary hardships result in carrying out the strict letter hereof, an appeal may be had to the Village Council acting as a Board of Appeals under such rules as the Council may hereafter from time to time adopt. Any person considering himself aggrieved by any action or decision of the Building Inspector and / or of the Health Officer may within ten (10) days thereafter appeal to the Village Council, which shall have power to hear and determine said appeal, and may, by resolution, affirm, modify or reverse, wholly or in part, the decision of said officials. In no case shall any official of the Village or any member of the Council be liable for costs or damages in any matter concerning the decision of such official or the appeal therefrom. Provided, however, that appeals from decisions of the Building Inspector or the Health Officer under Sections 1 and 2 of Article VII shall be made within forty-eight (48) hours after the decision appealed from, and the Council shall hear and determine such appeals forthwith.

SECTION 5. Aid of Courts. In addition to all other methods provided for the enforcement of the provisions of this ordinance, the Village shall have the right to bring a bill in equity in the appropriate court to .enjoin the violation hereof or to abate a nuisance or to otherwise enforce the terms hereof.

ARTICLE VIII--PENALTIES

Any person, firm or corporation who shall violate or fail to comply with any of the provisions of this ordinance, or any rule or regulation adopted by the Building Inspector and or the Health Officer pursuant hereto, or any order issued by the Building Inspector and/or the. Health Officer under the authority hereof, shall be guilty of a misdemeanor, and shall upon conviction, be punished by a fine of not to exceed One Hundred Dollars (\$100.00) or by imprisonment in the County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment, in the discretion of the Court. In default of the payment of such fine and costs, if the same be imposed, the Court is hereby authorized and empowered to commit the respondent to the County Jail until such time as the fine and costs are paid, not to exceed, however, ninety (90) days from the date of commitment.

ARTICLE IX---EFFECTIVE DATE

This ordinance shall become effective on the 1st day of January, 1940.

Passed by the Village Council and approved this 2nd day of December, 1939.

HARRY M. SMITH, President.

JOHN R. ROHDE, Clerk.