

Geneva Township
Mechanical Code Ordinance #36
Adopted July 14, 2009

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the Michigan Building Codes, 2006 Mechanical Code portion by the Township of Geneva, Van Buren County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith. All future amendments and revisions in Michigan Mechanical Code when they are promulgated and effective in this state are incorporated by reference.

THE TOWNSHIP OF GENEVA, VAN BUREN COUNTY, MICHIGAN, ORDAINS:

Section 1: Title

This ordinance shall be known and cited as the Geneva Township Mechanical Code Ordinance #36.

Section 2: "Unlisted and/or unlabeled solid fuel Hydronic heaters"

Geneva Township is adding Section 105.2a of the mechanical code to read, in its entirety as follows:
"Unlisted and/or unlabeled solid fuel Hydronic heaters" shall meet the following standards:

1. The heater must be well constructed of plate steel, stainless steel, or cast iron.
2. The heater must be essentially air tight with either a powered or mechanical system to regulate combustion air that is controlled by an aquastat to prevent over firing.
3. The heater must be located so products of combustion (smoke and ash) do not fall on a house, a neighbor's home or in other undesirable areas.
4. The heater must be located at least 25 feet from a home.
5. Exception: Listed and labeled devices will be installed in accordance with their installation instructions.
6. All units installed within Geneva Township must have proper Mechanical Permits and be inspected and approved by the Township Mechanical Inspector.

Section 3: Penalties

A. The provisions of this Ordinance shall be enforceable through any and all remedies at law or in equity in any court of competent jurisdiction. Any violation of this Ordinance is deemed to constitute a nuisance per se.

B. Municipal Civil Infraction. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	<u>Minimum Fine</u>	<u>Maximum Fine</u>
-1st Offense	\$150.00	\$500.00
-2nd Offense	275.00	500.00
-3rd Offense	375.00	500.00
-4th or More Offense	500.00	500.00

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which Geneva Township has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 be ordered.

Section 4: Severability

The provisions of the within ordinance are hereby declared to be severable and should any provision, section or part thereof be declared invalid or unconstitutional by any court of competent jurisdiction, such decision shall only affect the particular provision, section or part thereof involved in such decision and shall not affect or invalidate the remainder of such ordinance which shall continue in full force and effect.

Section 5: Effective Date

This ordinance shall take effect on 30 days from adoption and publication. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Roll Call Vote: Yes: 5 No: 0 Absent: 0

Nancy Ann Whaley Supervisor

Bridgette Gumpert Clerk

M. Jeffery Primmer Treasurer

Norman Funk Trustee

Audrey Krader Trustee

STATE OF MICHIGAN)
VAN BUREN COUNTY)

I, Bridgette Gumpert, being the duly qualified and appointed Clerk of the Township of Geneva, County of Van Buren, State of Michigan, do hereby certify that the foregoing is a true and correct copy of the Cemetery Ordinance #36 adopted by the Township of Geneva Board at a regular meeting held on the 14th day of July, 2009, the original is on file with the township.

In Witness Whereof, I have hereunto affixed my official signature on this 14th day of July, 2009

Bridgette Gumpert
Geneva Township Clerk