

**CHARTER TOWNSHIP OF RUTLAND**

**BARRY COUNTY, MICHIGAN**

**ORDINANCE NO. 2025-197**

**ADOPTED: AUGUST 13, 2025**

**EFFECTIVE: SEE SECTION X**

**STATE CONSTRUCTION CODE ORDINANCE (BUILDING, ELECTRICAL,  
MECHANICAL AND PLUMBING CODES)**

An Ordinance enacted pursuant to MCL 125.1508a to assume responsibility for administration and enforcement of the Stille-DeRossett-Hale Single State Construction Code Act, as amended (MCL 125.1501 et seq.) and all of the State Construction Code promulgated thereunder pursuant to MCL 125.1504 within the Charter Township of Rutland to whatever extent such responsibility was not previously assumed by the Township pursuant to, cumulatively, Ordinance No. 38 adopted March 10, 1993 (Building and Electrical), including the supplemental assumption of responsibility pursuant to Ordinance No. 2009-134 adopted April 21, 2009 to address floodplain management provisions of the State Construction Code, and Ordinance No. 2024-195 (Plumbing and Mechanical); to ratify and continue the responsibility to administer and enforce all such provisions of the Act and State Construction Code assumed by the Township previously, and herein; to designate an enforcing agency to discharge the responsibilities of the Township hereunder, and to reserve the right to provide by agreement or contract with any other township, village, city or county for joint administration and enforcement hereunder; to provide for the establishment of a fee schedule by the Township Board; to ratify and further provide for the Rutland Charter Township Construction Board of Appeals established by Rutland Charter Township Board Resolution 2015-191; to provide for civil penalties and remedies for the violation of this Ordinance or the Act or State Construction Code promulgated thereunder and adopted herein; and to repeal all existing Township ordinances in conflict herewith.

**THE CHARTER TOWNSHIP OF RUTLAND**

**BARRY COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**

**TITLE**

This Ordinance shall be known and may be cited as the Rutland Charter Township State Construction Code Ordinance.

## **SECTION II**

### **ASSUMPTION OF STATE CONSTRUCTION CODE/ACT RESPONSIBILITIES BY TOWNSHIP AND RATIFICATION AND CONTINUATION OF STATE CONSTRUCTION CODE/ACT RESPONSIBILITIES PREVIOUSLY ASSUMED BY TOWNSHIP**

In accordance with and pursuant to Section 8b of the Stille-DeRossett-Hale Single State Construction Code Act, as amended (1972 Public Act No. 230, as amended; MCL 125.1501 et seq.), the Charter Township of Rutland hereby assumes responsibility for the administration and enforcement of the Act and all parts of the State Construction Code promulgated pursuant to Section 4 of the Act (MCL 125.1504) currently in effect and as same may from time to time be modified or amended pursuant to said Section 4 of the Act, to whatever extent Rutland Charter Township may have not previously assumed such responsibility pursuant to the prior ordinance actions referenced in the preamble paragraph of this ordinance; and hereby ratifies and continues the Township's previous assumption of such responsibility.

## **SECTION III**

### **DESIGNATION OF ENFORCING AGENCY AND RESERVATION OF RIGHT TO PROVIDE FOR JOINT ENFORCEMENT**

In accordance with the aforereferenced Act, and pursuant to the provisions of the State Construction Code, the Rutland Charter Township Board hereby designates and/or ratifies the prior designation of the Building Official of Rutland Charter Township, the Electrical Official of Rutland Charter Township, the Mechanical Official of Rutland Charter Township and, the Plumbing Official of Rutland Charter Township as the enforcing agency to discharge the responsibility of Rutland Charter Township assumed hereunder. The Township Board is hereby authorized to designate by resolution the person or persons qualified by experience or training to perform the duties associated with those offices and otherwise in accordance with the Skilled Trades Regulation Act (2016 Public Act 407, as may be amended; MCL 339.5101), and any successor state law pertaining to the same subject matter. The Township Board is further authorized to remove by resolution any such person(s) from such offices, in the sole discretion of the Board. The Township specifically reserves the right to provide by agreement or contract with any other township, village, city or county in the State of Michigan for joint enforcement and administration of this Ordinance and the Act and the State Construction Code promulgated thereunder and adopted herein, and to contract with a private organization to perform any one or more of the duties as specified in MCL 125.1509.

## **SECTION IV**

### **ESTABLISHMENT OF FEE SCHEDULE**

The Rutland Charter Township Board is hereby given the authority to establish by resolution at any public meeting a schedule of fees, rates and charges for the administration and enforcement of this Ordinance and the Act and the State Construction Code promulgated thereunder and adopted herein, and for the conducting of various activities authorized by the Act or Code and this Ordinance; provided that the same shall be reasonable and bear a reasonable relationship to the cost and expense of such administration, enforcement and activity. The Township Board shall further have the right to amend by resolution the aforementioned schedule from time to time within the foregoing limits of reasonableness.

## **SECTION V**

### **FLOODPLAIN MANAGEMENT PROVISIONS OF STATE CONSTRUCTION CODE**

- A. Ratification and continuation of previously assumed responsibility. Rutland Charter Township hereby ratifies and continues the responsibility the Township previously assumed pursuant to Ordinance No. 2009-134 adopted April 21, 2009 to administer and enforce the provisions of the State Construction Code pertaining to floodplain management, and specifically Appendix G of the Michigan Building Code.
- B. Designation of regulated flood prone hazard areas. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled Barry County, Michigan (all jurisdictions) dated May 4, 2009 and the Flood Insurance Rate Map(s) (FIRMS) panel numbers of 260656C (26015C-0175C-0189C-0190C-0191C-0193C-0300C-0306C-0325C) dated May 4, 2009, and any future revisions of any of same, and any Map Amendment Determination Document, are adopted by reference for the purposes of administration of the Michigan Construction Codes.

## **SECTION VI**

### **CONSTRUCTION BOARD OF APPEALS**

- A. Members. The Rutland Charter Township Construction Board of Appeals (hereafter the RCT Construction Board of Appeals) previously established by Township Board Resolution 2015-191 is hereby ratified, pursuant to the other provisions of this section.
- B. Qualifications. Each member of the RCT Construction Board of Appeals shall be qualified by experience or training to perform the duties of that Board; provided that any member of the RCT Construction Board of Appeals who has a direct financial interest in the outcome of any matter

coming before the RCT Construction Board of Appeals shall recuse himself or herself from participating in that particular matter as a member of the RCT Construction Board of Appeals.

- C. Appointment. Each member of the RCT Construction Board of Appeals shall be appointed by the Township Supervisor as the chief executive officer of the Township. The Township Supervisor's appointments of the members of the RCT Construction Board of Appeals shall be subject to ratification by the Rutland Charter Township Board before any such appointment is effective.
- D. Term of office. The term of office of all members of the RCT Construction Board of Appeals shall be two years, and until a successor is appointed and ratified. Any vacancy on the RCT Construction Board of Appeals shall be filled by appointment pursuant to preceding subsection C. Any currently serving member of the RCT Construction Board of Appeals shall continue to serve until the expiration of their current term.
- E. Powers and duties. The RCT Construction Board of Appeals shall have the powers and duties prescribed for a construction board of appeals by sections 14 and 15 of the Stille-DeRossett-Hale Single State Construction Code Act (MCL 125.1514 and 125.1515) and any other applicable statute.
- F. Meetings; quorum; rules of procedure. The RCT Construction Board of Appeals shall meet at such times as may be necessitated by business to come before the Board, pursuant to the notice requirements and other applicable provisions of the Open Meetings Act. A quorum of the RCT Construction Board of Appeals shall be three members. The RCT Construction Board of Appeals may establish its own rules of procedure; in the absence of any such adopted rules the RCT Construction Board of Appeals shall conduct its business in an orderly manner pursuant to reasonable procedures affording due process and in accordance with any applicable legal requirements.

## **SECTION VII**

### **VIOLATION OF ORDINANCE; SANCTIONS AND ENFORCEMENT**

- A. Any person or corporation, including an officer, director, or employee of a corporation, or a governmental official or agent charged with the responsibility of issuing permits or inspecting buildings or structures, who does any of the following commits a violation of this Ordinance:
  - 1. knowingly violates the Stille-DeRossett-Hale Single State Construction Code Act (MCL 125.1501 et seq.) or any provision of the State Construction Code promulgated thereunder and adopted herein, or a rule for the enforcement of the Act or Code.

2. knowingly constructs or builds a structure or building in violation of a condition of a building permit.
  3. knowingly fails to comply with an order issued by the enforcing agency, the Rutland Charter Township Construction Board of Appeals, a board, the State Construction Code Commission pursuant to the Stille-DeRossett-Hale Single State Construction Code Act, or any provision of the State Construction Code promulgated thereunder and adopted herein, including the failure to comply with a stop construction order validly issued by the enforcing agency.
  4. knowingly makes a false or misleading written statement, or knowingly omits required information or a statement in an inspection report, application, petition, request for approval, or appeal to the enforcing agency, the Rutland Charter Township Construction Board of Appeals, a board, or the State Construction Code Commission.
  5. knowingly refuses entry or access to an inspector lawfully authorized to inspect any premises, building, or structure pursuant to the Stille-DeRossett-Hale Single State Construction Code Act.
  6. unreasonably interferes with an authorized inspection.
  7. knowingly issues, fails to issue, causes to be issued, or assists in the issuance of a certificate, permit, or license in violation of the Stille-DeRossett-Hale Single State Construction Code Act or a rule promulgated under that Act or other applicable laws.
  8. having a duty to report violations of the Stille-DeRossett-Hale Single State Construction Code Act or a rule promulgated under the Act or other applicable laws, knowingly conceals a violation.
  9. in any other manner violates a provision of a Code adopted herein.
- B. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute punishable by a civil fine determined in accordance with § 45-6 of the Rutland Charter Township Code.
- C. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Rutland Charter Township has been put in connection with the municipal civil infraction.

- D. Any violation of this Ordinance shall also constitute a basis for any judgment, writ, or order necessary to enforce the Ordinance, in addition to any other relief or sanction allowed by law.
- E. Each day that a violation exists shall constitute a separate offense, except as may be otherwise specified by Section 23 of the State Construction Code Act (MCL 125.1523).

## **SECTION VIII**

### **SEVERABILITY**

Should any portion of this Ordinance, or 1972 PA 230, as amended, or the State Construction Code promulgated thereunder be declared unconstitutional, illegal, or otherwise of no force or effect by a court of competent jurisdiction, such portion thereof shall not be deemed to affect the validity of any other part or portion thereof.

## **SECTION IX**

### **REPEAL OF CONFLICTING ORDINANCES AND SAVINGS CLAUSE**

All ordinances or parts of ordinances in conflict herewith are hereby repealed and shall be of no further force or effect upon the effective date of this Ordinance; provided, however, that construction permits validly issued before the effective date of this Ordinance shall not be invalidated by this Ordinance and the construction may be completed in compliance with any such permits, or renewals thereof, and in compliance with any previous construction codes under which the permits were issued. Further, any pending proceedings, including prosecutions for violations, or rights and liabilities acquired or incurred under any previous ordinance or Township construction code being repealed hereby shall not be affected by this Ordinance and may be continued pursuant to the previous ordinances and codes.

## **SECTION X**

### **EFFECTIVE DATE**

This Ordinance shall take effect 30 days after publication or upon such later date as the Ordinance is approved by the State Construction Code Commission.

Robin Hawthorne, Clerk  
Rutland Charter Township