

'Township Board Meeting Minutes' Minutes: April 10, 2012 Part 2

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May 3rd, 12

TION 3. Article VIII of Chapter 10 of the Pennfield Charter Township Code is hereby created to read as follows:

ARTICLE VIII. PLUMBING CODE

Sec. 10-180. Definitions.

(a) "AMSA" means the Area Metropolitan Services Agency authorized under the Urban Cooperation Act of 1967, being Public Act 7 of 1967, as amended, and being MCLA 124.501 et seq.

(b) "AMSA area" means the Townships of Battle Creek, Bedford, Emmett and Pennfield and the Cities of Battle Creek and Springfield.

(c) "BOCA Plumbing Code" means the BOCA National Plumbing Code published by the Building Officials and Code Administrators International, Inc., as adopted by AMSA from time to time.

(d) "Journeyman plumber" means any person, other than a master plumber, who is duly licensed by the State Plumbing Board and who, as his principal occupation, is engaged in the practical installation of plumbing. A master plumber may also work as a journeyman.

(e) "Master plumber" means any person who is duly licensed by the State Plumbing Board, skilled in the planning, superintending and practical installation of plumbing, and familiar with the laws, rules and regulations governing the same.

(f) "Plumber's apprentice" means any person, other than a journeyman

or
master plumber, who, as his principal occupation, is engaged in learning and assisting in the installation or plumbing and drainage.

(g) "Township" means Pennfield Charter Township, acting through its officers and agents.

Sec. 10-181. Designation of Enforcement Agency.

Pursuant to the provisions of the Michigan Plumbing Code, in accordance with Act 230 of the Public Acts of 1972, as amended, the office of the Mechanical/Plumbing Inspector of the Township is hereby designated as the enforcing agency to discharge the responsibilities of the Township under such Act. The Township hereby assumes the responsibility for the administration and enforcement of such Act throughout its corporate limits.

Sec. 10-182. Applicability of Article.

This article shall apply to and govern all plumbing installed within the AMSA area and shall include the installation of appliances not defined as plumbing, if connected to the water and/or drainage systems and, in addition, shall regulate the practice of plumbing trades, the materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures and appurtenances used in connection with the plumbing installations, all drainage facilities and connections to both sanitary and storm sewers, including private systems, and the public and private water supply systems, both within and without a building, with the exception of the public mains in streets.

Sec. 10-183. Creation of Position and Qualifications of Plumbing Inspector.

There is hereby created the position of Plumbing Inspector, which position shall be filled by the Township. The Inspector shall be a duly qualified and licensed master plumber. The compensation of the Inspector shall be determined by the Township.

Sec. 10-184. Duties of the Plumbing Inspector.

The Plumbing Inspector may, upon application, grant permits for all plumbing, water supply, drainage and gas piping installations and reinstallations as provided in this article. The Inspector shall make inspections of the same as provided in this article. The Inspector shall answer any relevant questions concerning, or give any desired information with respect to, the making, intent or application of any of the provisions of this article. The Inspector, in his official capacity, is not, however, empowered to act as a consultant and cannot lay out work or act in such capacity. No Inspector shall engage in the business of selling, installing, reinstalling or maintaining plumbing, water supply, drainage or gas piping devices and/or equipment, either directly or indirectly, or have a financial interest in any concern engaged in such business in the AMSA district at any time while holding such office.

Sec. 10-185. Authority of the Plumbing Inspector; Right of Entry.

The Plumbing Inspector shall have the right, in accordance with existing law, during reasonable hours, to enter any building or premises in the Township in the discharge of his official duties. If the Inspector finds any condition which violates any lawful rule or regulation, or work that is being done which was not stated in the application for a permit, the owner, contractor or plumber shall be notified and the condition shall be immediately corrected and any additional permit that is necessary shall be obtained.

A plumbing inspection shall be done within twenty-four hours on a regular work day after a request is made. The Inspector shall inspect all work done in connection with such installations, replacements and alterations to a point five feet outside of the building or structure for water services and to the street main for sanitary and storm sewers.

A person wishing to install a private sanitary facility, when no public sewer is available, shall obtain a permit from the County Health Department. Inspection shall be made by the County Health Department prior to backfilling.

Sec. 10-186. Registration of Plumbers.

All master and journeyman plumbers duly licensed by the State and all plumber's apprentices shall register with and pay a registration fee to the Building Inspection Department before performing any plumbing work within the Township. No person shall perform plumbing contract work in the Township unless that person is a master plumber or a bona fide homeowner doing plumbing work upon his own residence (single-family dwelling). Master plumbers and bona fide homeowners must obtain a permit before performing plumbing work within the Township as provided in Section 10-188.

Sec. 10-187. Master Plumber's Insurance.

All master plumber licensees under this article shall maintain in full force and effect a public liability insurance policy insuring the licensee, his employees and agents and the Township against any liability imposed by law arising out of the performance of any work governed by this article. The policy shall be filed with the Building Inspection Department and shall provide a minimum coverage as determined from time to time by the Township Board. Certified copies of renewal of such policies shall be filed each year on or before April 1.

Sec. 10-188. Permits.

(a) No person shall undertake any plumbing work, whether new or replacement, without first obtaining a permit therefor from the Building Inspection Department. A permit shall be issued only to a licensed master plumber or to a homeowner doing work on his own residence (single-family dwelling).

(b) Application for a permit shall be made on a suitable form provided by the Building Inspection Department. The form shall provide for sworn statements giving the following information:

*(1) The name and address of the owner of the premises and of the appli-
cant, if other than the owner;*

- (2) *The address or location of the premises where an installation, replacement or alteration is to be made;*
- (3) *The name and address of the master plumber responsible for such work;*
- (4) *The State plumber's license number; and*
- (5) *A description of such installation, replacement or alteration and the number and kind of fixtures to be installed.*

(c) *After the receipt of a properly filed application and compliance by the application with all requirements, a permit shall be granted or refused within five days, exclusive of Sundays and holidays. If a permit is refused, the applicant shall be informed, in writing, of the reasons for such denial.*

(d) *No permit issued under this chapter shall be construed to give any individual the right to connect with a master main, to remove any sidewalk or to excavate any street for any purpose. If work for which a permit is issued has not been commenced within sixty days from the date of issuance, the permit shall lapse and cease to be effective.*

Sec. 10-189. Permit Fees.

No permit shall be issued until the required fees are paid to the Township. Such fees may be established by AMSA, subject to the approval of the Township Board.

Sec. 10-190. Supervision of Work.

No plumbing work shall be performed unless the same is under the supervision of a licensed master plumber, as stipulated in Section 10-188, except for work performed by a homeowner on his own residence (single-family dwelling).

Sec. 10-191. Use of Licensee's Name by Others to Obtain Permits.

No person who has obtained a plumber's license shall allow his name to be used by another person for the purpose of obtaining permits.

Sec. 10-192. Authority of County Health Officer.

This article shall not be construed as limiting the powers of the County Health Officer with reference to sanitary conditions on any property in the AMSA area. If any unsanitary condition exists on any such property, the County Health Officer, notwithstanding full compliance with this chapter, may issue such order for its abatement as the conditions may warrant.

Sec. 10-193. Penalty; Equitable Remedies.

(a) A person who violates or fails to comply with any of the provisions of this article is responsible for a Class D Municipal civil infraction and shall be subject to the civil fines provided in Chapter 2, Article II of this Code.

(b) In addition to the penalties provided for in this section, this article may be enforced by suit for injunction, action for damages or any equitable relief appropriate to the enforcement of the Michigan Plumbing Code, as administered by Pennfield Charter Township.

SECTION 4. Article IX of Chapter 10 of the Pennfield Charter Township Code is hereby created to read as follows:

ARTICLE IX. MECHANICAL CODE

Sec. 10-201. Enforcement by Mechanical/Plumbing Inspector.

Pursuant to the Michigan Mechanical Code, in accordance with Act 230 of the Public Acts of 1972 as amended, the office of the Mechanical/Plumbing Inspector of the Township is hereby designated as the agency to enforce the State Mechanical Code in the Township and to discharge the responsibilities of the Township under such Act. The Township assumes responsibility for the administration and enforcement of the Act throughout its corporate limits.

Sec. 10-202. Purpose.

The purpose of this article is to establish minimum standards for the design and installation of mechanical systems, including heating systems, ventilating systems, cooling systems, steam and hot water heating systems, process piping and boilers, as well as the use of gas fuel, oil fuel, solar heat, solid fuel or electrical power, chimneys and vents, mechanical refrigeration systems, fireplaces, barbeques, incinerators, crematories and fire protection systems.

Sec. 10-203. Definitions.

All words and phrases used in this article shall be given their common and normal meaning unless defined hereinafter. The words and phrases defined hereinafter shall be given the meaning indicated in the interpretation and enforcement of this article.

(a) *"AMSA" means the Area Metropolitan Services Agency authorized under the Urban Cooperative Act of 1967, as amended, and being MCLA Sections 124.501 et seq.*

(b) *"AMSA area" means the Townships of Battle Creek, Bedford, Emmett and Pennfield and the Cities of Battle Creek and Springfield.*

(c) *"BOCA Mechanical Code" means the BOCA National Mechanical Code published by Building Officials and Code Administrators International, Inc., as adopted by AMSA from time to time.*

(d) *"Mechanical Official" means the person, department or division designated by the Township to perform or authorize mechanical inspections within the Township.*

(e) *"Person" means a natural person, firm, partnership, association or corporation.*

(f) *"Township" means Pennfield Charter Township, acting through its officers and agents.*

Sec. 10-204. Insurance.

All persons licensed by the State as mechanical contractors shall maintain in full force and effect a public liability policy insuring the licensee, his employees and

agents and the Township, against liability imposed by law arising out of the performance of any work governed by this article. The policy shall be filed with the Township Clerk and shall provide a minimum coverage as determined from time to time by the Township Board. Such insurance shall be maintained in full force and effect and termination or cancellation of the insurance shall automatically terminate or cancel the license granted under this article.

Sec. 10-205. Apprentices.

Any person who, though not qualified to be eligible for a mechanical license, with less than three years of experience (6,000 hours), is engaged in the practical erection, installation, alteration, repair, servicing or maintenance of mechanical systems, shall be deemed to be an apprentice, subject to the following conditions:

(a) Each apprentice shall register each year with the Mechanical/Plumbing Inspector and maintain a record of his or her experience. This experience record shall be used as proof of work training time by the State, should the apprentice apply for a license. The experience record may also be used as a qualification for working without supervision or for supervising other apprentices.

(b) An apprentice with less than two years of qualified experience (4,000 hours) shall at all times be under the direct supervision of a person with at least three years of experience in the mechanical field.

(c) An identification card shall be issued by the Department each year to the apprentice indicating the status of experience accredited to the apprentice. Upon completion of two years of accredited time, an identification card shall be issued indicating that the card holder is qualified to install mechanical work without direct supervision. Upon completion of three years of accredited time, an identification card shall be issued indicating that the holder is qualified to supervise other apprentices.

Sec. 10-206. Registration Fee.

(a) The registration fee for mechanical contractors' licenses in the Township shall be as established by the Township Board from time to time.

(b) Fees for all mechanical work shall be prescribed in a schedule as

adopted by the Township Board from time to time.

Sec. 10-207. Penalty; Equitable Remedies.

(a) A person who violates or fails to comply with any of the provisions of this article is responsible for a Class D Municipal civil infraction and shall be subject to