

PENNFIELD CHARTER TOWNSHIP

REGULAR MEETING MINUTES

APRIL 10, 2012

Supervisor Behnke called the meeting to order at 6:30 PM at the Pennfield Middle School cafeteria. Present were Supervisor Behnke, Clerk Case, Treasurer Phillips, Trustees Bartlett, Beard, Bordine-Houseman and Ensign. Supervisor Behnke led the Pledge of Allegiance.

There were seven residents present

PRESENTATIONS/PROCLAMATIONS

Heather Vogt from the Substance Abuse Council was present to accept the following

Proclamation from Supervisor Behnke:

CERTIFICATE OF PROCLAMATION

APRIL IS ALCOHOL AWARENESS MONTH

WHEREAS, research continues to demonstrate alcohol use by young people poses dangers associated with acute impairment, threats to long-term brain development and overall safety and well-being; and

WHEREAS, it is illegal to give or allow youth under the age of 21 to drink alcohol in your home, even with their parents' permission; and

WHEREAS, anyone found guilty of providing alcohol to underage youth can face up to a \$1,000 fine and sixty days in jail, in addition to any civil action that can be

brought as a result of damages or injury related to the offense; each year approximately

5,000 young people under the age of 21 die as a result of underage drinking; and

WHEREAS, alcohol abuse is linked to as many as two-thirds of all sexual assaults and date rapes of teens and college students and is a major factor in unprotected sex

among youth, increasing their risk for unplanned pregnancy and sexually transmitted infections; and

WHEREAS, youth that consume alcohol before the age of 15 are 40 percent more likely to develop alcohol dependence as adults. However, if consumption of alcohol can be delayed until the legal age of 21, serious alcohol-related problems can be reduced

by 70 percent;

THEREFORE, I, Robert P. Behnke, Jr., do hereby proclaim the month of April, 2012

as **ALCOHOL AWARENESS MONTH** in Pennfield Charter Township and encourages residents to refuse to provide alcoholic beverages to underage youth and to take the necessary steps to discourage the illegal and unhealthy practice, including the reporting of underage drinking by calling their local law enforcement. We call upon all citizens, parents, youth, governmental agencies, public and private institutions, businesses, hospitals and schools to support efforts that will reduce and prevent underage drinking in our community. **IN WITNESS WHEREOF**, I have hereunto set my hand and caused the official Seal of the Charter Township of Pennfield to be affixed this 10th day of April, 2012.

CITIZEN/PUBLIC COMMENTS

A resident presented the following information: Free tire collection on April 25-27 at the

Calhoun County Road Commission garage located at 13300 15 Mile Road in Marshall.

Collection hours are 7:30 AM to 4:30 PM. Tires are free to recycle with a limit of 25 tires

per household. Participants must be residents of Calhoun County. Call 269-781-9841 x 241

for more information. Another resident inquired about Wal-Mart.

ADDITIONS/DELETIONS TO THE AGENDA

It was moved by Trustee Ensign and supported by Trustee Beard to accept the Agenda as

presented. **Motion carried.**

CONSENT AGENDA

It was moved by Trustee Ensign and supported by Trustee Beard to accept the Consent Agenda

as presented. **Motion carried.** The Consent Agenda consists of the following items:

1. Meeting Minutes of March 13, 2012
2. Meeting Minutes of March 28, 2012
3. Utilities Division monthly report – see addendum
4. Code Compliance monthly report – see addendum
5. Permits Department monthly report – see addendum
6. Assessor Department monthly report – see addendum
7. Cemetery Department monthly report – see addendum

DEPARTMENT REPORTS

POLICE: Lt. Steve Eddy was present from the Calhoun County Sheriff's Department to

give the monthly report. The stats for the month are as follows: 189 traffic citations, 224

verbal warnings, 15 traffic crashes, 79 arrests, 94 self generated complaints, 327 dispatched

complaints and 1,565 property inspections.

FIRE: Chief Smith was present to give the monthly report. There were 84 calls as follows:

6 fires, 60 rescue & medical emergencies, 4 hazardous conditions, 5 service calls, 8 good

intent calls and 1 false alarm.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Adoption of Ordinance No. 101A-4-12 of 2012

ORDINANCE NUMBER 101A-4-12 OF 2012

AN ORDINANCE TO AMEND CHAPTER 10 OF THE PENNFIELD CHARTER TOWNSHIP CODE OF ORDINANCES TO DESIGNATE AN ENFORCING AGENCY TO DISCHARGE THE RESPONSIBILITY OF PENNFIELD CHARTER TOWNSHIP UNDER THE PROVISIONS OF THE STILLE-DEROSSETT-HALE SINGLE STATE CONSTRUCTION CODE ACT, 1972 PA 230, AND TO ADOPT RULES WITH REGARD TO CONTRACTORS.

PENNFIELD CHARTER TOWNSHIP ORDAINS:

SECTION 1. Section 10-51 of the Pennfield Charter Township Code is hereby amended to read as follows:

Sec. 10-51 ADMINISTRATION AND ENFORCEMENT OF STATE CONSTRUCTION CODE.

a) Enforcing Agency Designated. Pursuant to Sec. 8b(6) of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, MCL 125.1508b(6), Pennfield Charter Township hereby elects to administer and enforce the 1972 PA 230 and the State Construction Code within the Township and to discharge the responsibilities to the Township under such Act, including Appendix G of the Michigan Building Code. The Township hereby assumes the responsibility for administration and enforcement of such Act throughout its corporate limits. 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.

(b) Building Permit Fees. Before receiving a building permit, the owner or his agent shall pay such fees as are established from time to time by the Township Board for the issuance of such permits. Such fees may be varied in relation to the character and value of work, the amount of inspection required, and other factors deemed pertinent by the Township Board.

(c) Demolition and Moving Permit Fees. The fee for a demolition or moving permit shall be as established from time to time by the Township Board.

SECTION 2. Article VII of Chapter 10 of the Pennfield Charter Township Code is hereby created to read as follows:

ARTICLE VII. ELECTRICAL CODE

Sec. 10-161. Definitions.

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

(b) "AMSA area" means the Townships of Bedford, Emmett, Leroy, Newton and

Pennfield and the Cities of Battle Creek and Springfield.

(c) "Construction Code Commission" means the State construction Code Commission created by the Stille-DeRossett-Hale Single State Construction Code Act, being Public Act 230 of 1972, as amended.

(d) "Electrical Code" or "National Electrical Code" means the Michigan Electrical Code adopted and amended by the State of Michigan pursuant to Act 230 of 1972, as amended.

(e) "Person" means an individual, firm or corporation.

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

Sec. 10-162. Agency Designated.

Pursuant to the provisions of the Michigan Electrical Code and in accordance with 1972 PA 230, as amended, the Township Building Inspector is hereby designated as the enforcing agency to discharge the responsibilities of the Township under Act 230. The Township assumes responsibility for administration and enforcement of said Act throughout its corporate limits.

Sec. 10-163. Creation of Position and Qualifications of Electrical Inspector.

There is hereby created the position of Electrical Inspector, which position shall be filled by appointment by the Township Board. The Inspector shall be a competent Master Electrician or a State of Michigan Registered Electrical Inspector of good moral character and shall be well versed in approved methods of electrical installation for safety to life and liberty, in this chapter, and the statutes of the State relating to electrical work and in the National Electrical Code. The compensation of the Electrical Inspector shall be determined by the Township Board. The Electrical Inspector shall report to and be subject to the direction of the Township Supervisor.

Sec. 10-164. Electrical Permit Required; Exceptions.

No person shall undertake to erect, install, alter, repair, service or maintain any electrical wiring unless such person has obtained the appropriate permit from the Township Inspection Department, is a registered apprentice under the direct supervision of a licensee, or a licensee registered under this article as the holder of a valid license issued by the State or any political subdivision thereof having an ordinance providing standards for licensing not less than those established pursuant to 1956 PA 217, as amended, or is an individual seeking to personally erect, install, alter, repair, service or maintain electrical wiring in a single family home and/or

accompanying outbuildings owned and occupied or to be occupied by him or her. Nothing in this section shall be construed to permit a contractor license to do electrical work or specialty work unless otherwise holding a permit to engage in electrical or specialty installation or work.

Sec. 10-165. Registration of Electrical Contractors.

(a) All electrical contractors, fire alarm contractors and sign specialty contractors licensed by the State or any Michigan municipality other than the Township must register with and pay a registration fee to the building inspection department before performing electrical work in the Township. Upon registration, such electrical or specialty contractors shall be eligible to obtain permits from the department as provided in Section 10-167 when he or she furnishes a certificate of insurance as required by Section 10-166. The registration fee shall be established by AMSA, subject to approval by the Township Board.

(b) Out of state electrical contractors, whose principal place of business is outside of the State, shall be licensed by the State Electrical Administrative Board before performing any electrical work in the Township.

Sec. 10-166. Electrical and Specialty Contractors' Insurance.

All electrical contractors, fire alarm contractors and sign specialty contractors shall maintain in full force and effect a public liability insurance policy insuring the licensee, his or her employees and agents and the Township against any liability imposed by law arising out of the performance of any work performed by any of the provisions of this article. The policy shall be filed with the Township Clerk and shall provide a minimum coverage in an amount to be 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. 10-167. Permits.

Permits for electrical work governed by this chapter shall be obtained as required by the Electrical Code.

Sec. 10-168. Permit Fees.

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

Sec. 10-169. Records.

The Electrical Inspector shall keep complete records of all permits issued and inspections made and all other official work performed under this article.

Sec. 10-170. Liability for Damages.

This article shall not be construed to affect the responsibility or liability of any person owning, operating, controlling or installing any electrical equipment for damages to persons or property, nor shall the Township be held as assuming such liability by reason of the inspection, reinspection or other examination authorized under this article or by reason of the certificate of inspection issued as provided in this article or by reason of the approval or disapproval of any equipment authorized herein.

Sec. 10-171. Appeals.

Any finding or decision of the Electrical Inspector under this Chapter may be appealed to the AMSA Construction Board of Appeals as described in Article VI of this Chapter, by setting all the facts in a written petition and filing the same with the Township Clerk within such time as is prescribed by the Board by general rule. All decisions of the Board shall be final, but may be appealed to the Construction Code Commission as provided in Section 10-172.

Sec. 10-172. Review by Construction Code Commission.

Any person aggrieved by an order, determination or decision of the AMSA Construction Board of Appeals may appeal to the Construction Code Commission within ten business days after filing of the decision with the enforcing agency or, in case of an appeal because of failure to a board of appeals to act within the prescribed time, at any time before filing of the decision as described in Section 10-156.

Sec. 10-173. Penalty; Equitable Remedies.

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

(b) Minor violations defined by the State Electrical Administrative Board, and the fine schedule for the same established by such Board, are hereby adopted by reference.

(c) 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 Electrical Code, as administered by the Township.