

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK**

ORDINANCE #03-2011

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF ALLEN PARK BY THE ADDITION TO CHAPTER 18 – FIRE PREVENTION AND PROTECTION, ARTICLE II. – FIRE CODES, THE FOLLOWING SECTIONS 18-37 THROUGH 18-39 TO PROVIDE FOR INSPECTION FEES; FIRE INSPECTOR’S AUTHORITY; AND TO PROVIDE FOR PENALTIES FOR VIOLATING THE FIRE CODE.

The City of Allen Park Ordains:

SECTION 1. AMENDMENT TO CODE.

Article II sections 18-37,18-38, and 18-39 are added as follows:

Sec. 18-37. Fees.

All fire inspections required by state law, rule or regulation, or this Code shall incur a fee for the cost of the inspection. The fee shall be set by council resolution.

Sec. 18-38. Fire Inspector Authority.

The Fire Chief is hereby empowered to enter at any and all reasonable times upon and into any premises, building or structure for the purpose of examining and inspecting the same, to ascertain the conditions thereof with regard to fire hazards and the condition, size, arrangement and efficiency of any and all appliances for fire fighting. The Fire Chief is hereby empowered to a appoint a designee (or designees) to make the inspection herein provided, who shall report in writing the results of the inspection to the Fire Chief and who is hereby empowered to make such written orders for the correction of any hazard or deficiency in fire fighting appliances as the Fire Chief is authorized to make. Every order made by the Fire Chief, or by his or her designee, shall be promptly obeyed and complied with. The Fire Inspector shall write violations when a structure is non-compliant with the Fire Code.

Sec. 18-39. Penalty for Violation.

- (a) A person's first or second violation of this article shall be a municipal civil infraction with a civil fine as established in section 1-14(b).
- (b) A person's subsequent violation of this article shall be a misdemeanor and subject to the penalties of section 1-14(a).
- (c) Any person who refuses to allow an inspection required under this article or interferes with the fire official in the discharge of his duties shall be guilty of a misdemeanor and subject to the penalties of section 1-14(a).

SECTION 2. REPEAL.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 3. SAVING CLAUSE.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 4. SEVERABILITY.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 5. PUBLICATION.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 6. ADOPTION.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the **14th** **day of June, 2011.**

Felice “Tony” Lalli, Mayor
City of Allen Park

Michael I. Mizzi, City Clerk
City of Allen Park