



Vassar City Council Agenda  
Council Chambers, City Hall  
287 E. Huron Ave?nue  
Vassar, Michigan

1. Call To Order
2. Pledge Of Allegiance/Invocation
3. Roll Call  
    \_\_\_ Mayor Damm    \_\_\_ Mayor Pro-Tem Fabbro  
    \_\_\_ Councilor McTaggart    \_\_\_ Councilor Armstrong    \_\_\_ Councilor Mecham

4. Approval/Adjustment To The Agenda

5. Public Comment

Citizens are to address the Council only. Statements are limited to five (5) minutes; must address items that are not listed on the Council meeting agenda, are limited to issues that have an impact on the City of Vassar and/or the City Council may address at a future meeting, and must not include endorsements of any candidates or other electioneering

6. Pending Ordinance/Public Hearing

Ordinance #2021-01 - An Ordinance Amending Portions of Chapter 10 of the Code of Ordinances City of Vassar, Michigan; Repeal; Fee Schedule; Penalties; Publication; and Effective Date

Mayor Opens Public Hearing  
Public Comment  
Mayor Closes Public Hearing

Documents:

[CONSTRUCTION CODE ORDINANCE 2021 01.PDF](#)

7. Public Comment

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8. Adjourn

ORDINANCE # 2021-01  
CITY OF VASSAR  
COUNTY OF TUSCOLA, MICHIGAN

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 10 OF THE CODE OF ORDINANCES CITY OF VASSAR, MICHIGAN; REPEAL; FEE SCHEDULE; PENALTIES; PUBLICATION; AND EFFECTIVE DATE.

**THE CITY OF VASSAR ORDAINS:**

Section 1: Repeal/Replace. CHAPTER 10 – BUILDINGS AND BUILDING REGULATIONS, ARTICLE II. – CONSTRUCTION CODE, Sec. 10-31 through 10-33 are repealed in their entity and replaced with the following:

**Sec. 10-31. – Adoption of Stille-DeRossett-Hale single state construction code act, including the building, electrical, plumbing, and mechanical codes.**

Pursuant to the provisions of MCL § 117.3, Section 5.7 of the Charter of the City of Vassar, Michigan, and Section 8b(6) of 1972 PA 230, the city adopts by reference 1972 PA 230, commonly known as the Stille-DeRossett-Hale single state construction code act, being MCL § 125.1501 *et. seq.*, as amended, including the building, electrical, plumbing, and mechanical codes. The city hereby expressly releases and/or exempts from this specific ordinance adoption or applicability of the 2015 Michigan Energy Code, Part 10-a of the Michigan Construction Code, as it pertains to medical and/or recreational commercial marijuana facilities, including the following: any Grow/Cultivation Facilities, specifically Green Houses, as defined in the City of Vassar Ordinance 2019-11, that is codified in Chapter 50, Section 3 of the Code of Ordinances City of Vassar, Michigan.

**Sec. 10-32. – Copies of Codes.**

Printed copies of the Michigan Building Code, as adopted in Section 10-31, shall be kept in the Office of the City Clerk and be available for review and inspection by the public.

**Sec. 10-33. – Enforcing agency.**

The Building Official, as defined by Section 2a(1)(i) of 1972 PA 230, as amended, that is appointed or approved by the city council is hereby designated as the enforcing agency to discharge the responsibility of the city under 1972 PA 230, as amended. The city assumes responsibility for the administration and enforcement of the state construction code, building code, plumbing code, mechanical code, and electrical code within its corporate limits.

**Sec. 10-34. – Board of appeals.**

Pursuant to section 14 of 1972 PA 230, being MCL § 125.1514, there is hereby established a construction board of appeals, to perform the duties of the construction board of appeals under such act within the city. The board shall consist of five members appointed by the city council. Appointments in the first instance shall be for a period of one, two and three years, respectively, so as nearly as may be to provide for appointment of an equal number each year, and thereafter each member shall hold office for a full three-year term. If qualified, members of the zoning board of appeals may also be appointed to serve as members of the construction board of appeals.

**Sec. 10-35. – Enforcement.**

The provisions of this article shall be enforced by the city through its Building Official that is appointed or approved by the city council.

**Sec. 10-36 – Fee Schedule.**

The city council shall prepare a schedule of fees for permits, inspections, and plan review. The schedule of fees shall be published in a newspaper of general circulation in the City of Vassar within fifteen (15) days after adoption by the Vassar City Council.

**Sec. 10-37. – Penalty.**

(a) General Penalty. Any person violating any provision of the 1972 PA 230, being MCL § 125.1501 *et seq.*, shall, upon conviction thereof, be guilty of a misdemeanor, and be subject to a fine not exceeding \$500.00, or imprisonment for not more than 90 days in the Tuscola County Jail, or both fine and imprisonment at the discretion of the court.

(b) Complicity. Every person concerned in the commission of an offense under CHAPTER 10 – BUILDINGS AND BUILDING REGULATIONS, whether he or she directly commits the act constituting the offense or procures, counsels, aids or abets in its commission, may be prosecuted, indicted, tried and on conviction shall be punished as if he or she had directly committed such offense.

(c) Civil Infractions. The penalties to be assessed by the Court for a violation of CHAPTER 10 – BUILDINGS AND BUILDING REGULATIONS, which is designated as a civil infraction shall not exceed the following amounts:

- (1) For a first offense, two hundred fifty dollars (\$250.00);
- (2) For a second offense, five hundred dollars (\$500.00);
- (3) A third offense and any subsequent offenses shall be considered a misdemeanor and shall be penalized pursuant to subsection (a) hereof.

Section 2: Repeal of conflicting provisions. All resolutions, ordinances, or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict, hereby repealed.

Section 3: Exemptions from Repeal. The repeal provided for in this Ordinance shall not affect:

- (a) Any offense or act committed or done, or any penalty incurred before the adoption of this Ordinance;
- (b) Any ordinance or resolution promising or guaranteeing the payment of money by or to another governmental unit pursuant to 1972 PA 230 before the adoption of this Ordinance;
- (c) The administrative ordinances and resolutions of the city council not in conflict or inconsistent with any provision of this Ordinance.
- (d) Any prosecution, suit or other proceeding pending, or any judgment rendered, pursuant to 1972 PA 230 on or prior to the adoption of this Ordinance.

Section 4: Severability. If any section, paragraph, clause, or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 5: Publication of ordinance. Pursuant to Section 5.11 of the Charter of the City of Vassar, this Ordinance shall be published in full in a newspaper of general circulation in the City of Vassar, within fifteen (15) days after adoption.

Section 6: Effective Date. Pursuant to Section 5.11 of the Charter of the City of Vassar, this Ordinance shall become effective immediately upon publication.

I HEREBY CERTIFY THAT THE ABOVE ORDINANCE WAS ADOPTED BY THE CITY OF VASSAR COUNCIL AT A REGULAR MEETING HELD ON THE \_\_\_ DAY OF \_\_\_\_\_ 202\_\_.

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Mike Damm, Mayor

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Merri Lemcke, City Clerk

First Reading:

Second Reading/Public Hearing:

Published: