

CITY OF LUNA PIER
FIRE INSPECTION AND PREVENTION
ORDINANCE NUMBER 238

An ordinance to authorize fire inspections of buildings and premises and to impose penalties for violations of orders to abate fire and other hazards.

The City of Luna Pier ordains:

Section 1. Title.

This Ordinance shall be known as the City of Luna Pier Fire Inspection and Prevention Ordinance.

Section 2. Purpose.

The City of Luna Pier determines that inspections of buildings and premises in the City will protect the health and safety of residents and visitors and diminish the risk of injury and property damage by identifying and abating conditions that could lead to preventable fires.

Section 3. Inspections ..

The Chief of the Luna Pier Fire Department or a qualified fire fighter in uniform acting under the orders and direction of the Fire Chief, either after receiving a complaint or at the official's own instance without a complaint, and without restraint or liability for trespass, may at an hour reasonable under the circumstances involved, enter into and upon a building or premises for the purpose of inspection and examination of the building or premises, together with its uses and contents, for the discovery of the existence of a fire hazard. When an official finds a fire hazard or other condition dangerous to the public peace, security or safety, the official may prepare a written report, including the ownership, occupancy and location, and file it with the Fire Department.

Section 4. Abatement of Fire Hazard or Dangerous Condition.

The Fire Chief or other inspecting fire official may issue an Order to the owner(s) and occupant(s) describing the actions necessary to correct the fire hazard or dangerous condition, including but not limited to repair of the building, improved or added fire escapes, automatic of other fire alarms, fire extinguishment equipment, electrical, gas, exhaust or chimney repairs, removal of rubbish or other materials, change in use or occupancy, or razing of a building. The owner(s) and occupant(s) shall have joint and several liability for complying with the Order.

The Order shall also state the date on which the repairs, added equipment or other actions must be completed, taking into consideration the circumstances found in the inspection.

The Order shall be served by personal delivery or by posting in a prominent location on the property and sending by first-class mail to the owner(s), occupant(s) or other person(s) with interest in the property.

Section 5. Appeal of Abatement Order.

The owner(s), occupant(s) or other person(s) with interest in the property may file an appeal of the Abatement Order with the City Clerk within twenty-one (21) days after it is served. The appeal shall be heard and decided by the Luna Pier Board of Building Appeals.

Section 6. Violation of Abatement Order.

The City Council by resolution shall establish the fees and costs in connection with the inspections. In addition to any other remedy, the City of Luna Pier may bring suit against the owner(s) and occupant(s) for payment of all such fees and costs. Fees and costs may also be assessed as a lien on the property. The City of Luna Pier reserves all other remedies, including injunctive relief and posting and abatement of dangerous buildings.

Section 7. Effective Date.

This Ordinance shall become effective twenty (20) days after final passage and publication.

I hereby certify that this ordinance was passed at a regular meeting of the City Council of the City of Luna Pier, Michigan held on _____, the _____ day of _____, 2018

DeAnn Parran, City Clerk

Published: _____
Effective Date: _____