

## ORDINANCE # 46 (June 7, 1948)

An ordinance relative to erecting, altering or repairing buildings within the Village of Concord, establishing regulations relative thereto, and requiring a permit therefor.

The Village of Concord ordains:

Section 1. It is hereby determined by the Council of the Village of Concord that it is necessary for the health, safety, order and good government of the Village, and the general welfare of the inhabitants thereof, that the construction, maintenance, alterations and improvement of dwellings, and the light, ventilation, sanitation and fire protection and improvement of dwellings, and the light, ventilation, sanitation and fire protection of the same be regulated within the corporate limits of the Village of Concord.

Section 2. Permits:

No excavation, construction or remodeling within the village shall be undertaken within the village without a building permit issued by the Village Council. All applications for building permits shall be accompanied by a drawing or plan of the proposed building, showing the size of the building and such other information as may be necessary to provide for the enforcement of this ordinance.

Section 3. Exceptions:

The provisions to this ordinance shall not be construed to include the ordinary repairs, such as painting, roofing and such repairs as are necessary to keep the original building in good condition.

Section 4. Permit Procedure:

All permits shall be issued in duplicate, one copy of which is to be delivered to the applicant and one copy retained as a record in the office of the Village Clerk, such shall be issued by the Village Clerk upon the payment of one (1) dollar. With said permit shall be delivered to the applicant a placard with "Building Permit" No. printed thereon, which placard shall be posted in plain view of the street or highway on the premises mentioned during the process of the work.

Section 5. Temporary Dwellings:

The temporary use of a garage, basement or trailer as a dwelling is permitted, provided, that a permit is granted by the Village Council. Such permits shall be of such duration as the Council shall deem reasonably necessary.

Section 6. Foundations:

That all dwelling and buildings to be used for dwellings shall be set upon a substantial wall foundation and such wall shall be constructed of cement, brick, stone, concrete blocks or any combination thereof and shall be three feet six inches below the frost line.

Section 7. Requirements:

That the inside area of all such dwellings shall not be less than 400 square feet and must comply with all of the sanitary regulations and requirements of the State of Michigan, at the time said building permit is issued.

Section 8. Material and moving:

That all building material used in the construction of any such building shall be sound and free from decay, and any dwelling hereafter moved from one lot to another, it shall thereupon be made to conform to all the provisions of this ordinance relative to dwellings hereafter erected. No roll roofing material or tar paper shall be used for exterior siding purposes.

Ordinance # 46 continued.

Section 9. Smoke outlets:

That all outlets for smoke from stoves and furnaces shall be constructed in a first class manner of fireproof materials and in accordance with all fire laws of the State.

Section 10. Sanitation:

- A. No outside toilets shall be erected within the Village limits without special permission from the Village Council.
- B. All inside toilets and drains shall empty into the public sewer system where the same is available.
- C. Where public sewer system is not available, all sewage and drainage shall be taken care of by an adequate septic system.

Section 11. Surroundings:

Building erected and or equipment hereafter installed shall be in harmony, as to appearance and value, with the surrounding, adjacent or adjoining property and of such construction as to cause no damage to any such adjacent, adjoining or surrounding property.

Section 12. Wiring Electricity:

That where electricity is available, all dwellings must be wired therefor and in accordance with the rules and regulations of the laws of this State.

Section 13. Setback and side line spacing:

In residence sections there shall be a setback of not less than 25 feet from the sidewalk for all buildings; provided that when 25 percent or more of all frontage on one side of a street has at the time of the passage of this ordinance been built up with permanent residences, the average set-back for such residences shall be the minimum setback line for that side of such street. No building shall be erected closer than 5 feet to the side line of the lot or parcel of property upon which the building is located, and provided further that the setback shall not be less than 15 feet from the street line abutting the longest side of a corner lot.

Setback for commercial buildings shall be minimum of 25 feet for stores and other buildings; provided, however, that where there are stores or other buildings already erected for business purposes on a side of the street between two intersecting streets, the minimum setback for that side of the street shall be the depth as established by that building already erected which is closest to the street line and provided further, however, that in all events the minimum setback line shall be 25' for gasoline pumps, display racks, air pumps and other equipment.

Section 14. Enforcement:

It will be the duty of the Village Clerk under the direction of the Village Council to enforce the provisions of this ordinance.

Section 15. Industrial:

Industrial buildings and premises may be used for any purpose whatsoever, except those which may be noxious, or offensive by reason of the emission of dust or smoke, or noise, or odor, provided, however, in such cases a permit may be issued when there are on file in the Village Clerk's office the written consents of the owners of seventy-five percent of all property within a radius of 500 feet of any part of the premises whereupon such use is to be established, erected or enlarged and provided the provisions of any ordinances of the Village of Concord regulating the location or maintenance of nuisances are complied with.

Section 16. Former ordinances repealed:

All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 17. Penalties:

Buildings erected, altered, razed, or converted, or uses carried on in violation of any provisions of this ordinance are hereby declared to be a nuisance per se. The court shall order such nuisance abated and the owner and or agent in charge of such building or land shall be adjudged guilty of maintaining a nuisance per se.

For any and every violation of the provisions of this ordinance, the owner, agent, contractor, leasee or tenant of the land or building or part thereof where such violation has been committed or exists, shall be guilty of a misdemeanor and owner, agent, architect, builder, or any person who commits, takes part or assists in such violation of any of the provisions of this ordinance or any person who maintains any land or buildings on or in which such violation exists shall be guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not less than twenty-five dollars for each offense or shall be punished by imprisonment in the Jackson County Jail for a period not to exceed ninety days, or both, such fine and imprisonment at the discretion of the court. Each day that such violation is permitted to exist shall constitute a separate offense.

Section 18. Validity:

Should any section, clause or provision of this ordinance be declared invalid, the same shall not effect the validity of the ordinance as a whole or any part thereof, other than the part as declared to be invalid.

Section 19. Effect date:

The provisions of this ordinance are hereby declared to be immediately necessary for the preservation fo the public peace, health and safety and are hereby given immediate effect.

Passed and approved by the Village Council of Concord, Mich.

D.A. Aldrich, Pres.  
D. Rutz, Village Clerk