

**TOWNSHIP OF BIRCH RUN**  
Saginaw County, Michigan

**BIRCH RUN TOWNSHIP**  
**ORDINANCE TO ADOPT A BUILDING PERMIT FEE AND**  
**SURETY DEPOSIT ORDINANCE**

**Ordinance # 2004-01**

At a regular meeting of the Township Board of the Township of Birch Run, Saginaw County, Michigan, held at the Township Meeting Room on the 13th day of April, 2004 at seven (7) o'clock Eastern Standard Time.

**Present: Earl Schlegel, Debbie Trevino, Amy Cook, Ed Magnus, Dave Stewart,  
Joanne Strahm, and Jeff Putnam**

**Absent:**

**BIRCH RUN TOWNSHIP ORDAINS:**

**SECTION 1 *PURPOSE:***

The purpose of this ordinance is to establish a fee schedule for building permit cost, provide an avenue for the practice of requiring building permit applicants to obtain a surety deposit so as to further help maintain the safety, health and welfare of all of the citizens of Birch Run Township.

**SECTION 2 *SHORT TITLE:***

This Ordinance shall be known as the Building Permit Fee and Surety Deposit Ordinance.

**SECTION 3, FEES:**

**A. Valuation Cost and Permit Fees:**

Birch Run Township hereby establishes the value of construction for a building permit to be calculated by using the most current method from the "Building Valuation Data" as prescribed in the Building Safety Journal published by the International Code Council.. In the absence of the aforementioned data, the Birch Run Township Board may appoint the Tax Assessor to calculate the permit fees.

Building Permit Fees are hereby established at 100% of the fees as set forth in the schedule of permit fees in the following table. The fees are to be determined by the cost of construction, and to be as follows:

**TABLE 1-A**

<b>TOTAL VALUATION</b>	<b>FEE</b>
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or a fraction thereof.
\$2000.01 to \$25,000.00	\$69.25 for the first \$2000.00 plus \$14.00 for each additional \$1,000.00, or a fraction thereof.
\$25,000.01 to \$50,000.00	\$291.50 for the first \$25,000.00 plus \$8.50 for each additional \$1,000.00, or a fraction thereof.
\$50,000.01 to \$100,000.00	\$464.50 for the first \$50,000.00 plus 5.00 for each additional \$1000.00, or a fraction thereof.
\$100,000.01 to \$500,000.00	\$714.50 for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00, or a fraction thereof.
\$500,000.01 to \$1,000,000.00	\$2,314.50 for the first \$500,000.00 plus \$3.50 for each additional \$1,000.00.
\$1,000,000.01 and up	\$4,064.50 for the first \$1,000,000.00 plus \$2.25 for each additional \$1,000.00, or a fraction thereof.

The fees set forth in this section cover all of the inspections required under the Michigan Building Code, Michigan Residential Code and other related construction codes, but do not apply to re-inspections required, caused or necessitated by poor workmanship, or by violations of the provisions and requirements of the aforementioned code. All re-inspections that are required or necessitated shall require the payment of an additional inspection fee as charged by the inspector having authority for the jurisdiction. Building or construction permit fees do not include the required fees for electrical, plumbing, or mechanical work; such fees are required as stated on those respective permit applications.

#### **SECTION 4, PLAN REVIEW FEES:**

When submittal documents are required by Section 106 of the Codes, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be sixty-five (65%) percent of the building permit fee as shown in Table 1-A. The plan review fees specified in this section are separate fees from the permit fees specified in section 108 of the code and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in section 106, an additional plan review fee shall be charged at the rate shown in Table 1-A.

#### **SECTION 5, SURETY DEPOSIT**

In addition to the Permit Fees for Building Code Construction, as set forth herein, an additional deposit shall be required before a Building Permit for such proposed construction is issued. Such deposits are to be held by the Township to assure that all inspections are performed, and a Certificate of Occupancy is secured, before such building, or part thereof constructed is occupied. Any and all re-inspections fees shall be

deducted from the security or surety deposit made, and any remaining money, if any, will be refunded to the payee upon the issuance of a Certificate of Occupancy Permit.

Surety Deposits are as follows:

- 1.) Three Hundred (\$300.00) Dollar deposit shall be made before a building permit is issued for a proposed residential structure.
- 2.) One Hundred and Fifty (\$150.00) Dollar deposit shall be made before a building permit is issued for an accessory use for the principal building.
- 3.) Any and all Commercial or Industrial construction and or development requiring a Building Permit shall, in addition to the Permit Fee for Building Code Construction, deposit a surety deposit equal to three (3%) percent of the estimated construction cost as calculated by the Township Building Official. Said deposit will be held by the Township and will be subject to provisions as set forth in this ordinance.

#### **SECTION 6, INCONSISTANT ORDINANCES:**

All Ordinances or parts of Ordinances inconsistent or in conflict herewith are hereby repealed. All other Ordinances of the Township inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, superseded by this Ordinance. All provisions of the "Building Code," the "Plumbing Code," the "Mechanical Code," and the "Electrical Code," which are inconsistent with the provisions set forth in this Ordinance are hereby repealed. Provided, however, said repeal shall not abate any action now pending under or by virtue of the Ordinances herein or hereby repealed, nor shall said repeal discontinue, abate, modify, or alter any penalty accrued or to occur or affect the rights of any person, firm, or corporation, or waive any rights of this Township under any section or provision of the Ordinances herein or hereby repealed, existing at the time of the passage of this Ordinance.

#### **SECTION 7, PENALTY:**

Any person, firm, or corporation that violates any of the provisions of this Ordinance shall be guilty of a Civil Infraction and shall be subject to the rules and regulations of the Birch Run Township Civil Infraction Ordinance.

In addition to the penalties provided in this Ordinance the Township may recover costs incurred as a consequence of enforcing this Ordinance, including reasonable attorneys fees, court cost, and other expenses associated with enforcement activities. Such cost shall be recoverable from the person found to have violated this Ordinance or the orders, rules, regulations or permits issued under this Ordinance A civil infraction shall not be a bar against or a prerequisite for taking any other action against a user.

**SECTION 8, INVALIDITY:**

If any section, paragraph, sentence, clause, phrase or part of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect; and to this end, the provisions of this Ordinance are hereby declared to be severable.

**SECTION 9, PUBLICATION AND EFFECTIVE DATE:**

This Ordinance shall become effective Thirty (30) days from and after the publication hereof as provided by law, and said Ordinance shall be published as provided by law. A copy of this said Ordinance may be secured and/inspected at the Birch Run Township Governmental Center, 8425 Main Street, Birch Run, MI. 48415.

This Ordinance declared to have been adopted by the Birch Run Township Board, at a regular meeting held on the 13<sup>th</sup> day of April, 2004, and ordered to be given publication in the manner prescribed by law.

**RESOLUTION DECLARED ADOPTED.**

**YEAS: Amy Cook, Earl Schlegel, Debbie Trevino, Ed Magnus, Joanne Strahm, Dave Stewart, and Jeff Putnam**


**NAYS: None**

**ABSTENTIONS: None**

**STATE OF MICHIGAN)  
COUNTY OF SAGINAW)**

I, the undersigned, the fully qualified and acting Clerk of the Township of Birch Run, Saginaw County, Michigan, do hereby certify that the foregoing is a true and complete Copy of a resolution adopted at a special meeting of the Township Board of the Township of Birch Run, Michigan, held on the 13<sup>th</sup> day of April, 2004, the original of said meeting was given to and in compliance with Act 267, Public Acts of Michigan, 1976.

IN WITNESS WHEREOF, I have hereunto fixed my official signature on this 14<sup>th</sup> day of April, 2004



**Amy Cook, Clerk  
Birch Run Township**