



The Ordinance Enforcement Team



**MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION**

What you will learn:

What are the different enforcement roles in a community

How do they work together

How does Michigan differ from other states

After the planning commission approves a site plan, it's up to the community's employees—its planner, zoning administrator, building official and code enforcement officer to interpret, inspect and enforce ordinances to ensure that projects are ultimately developed in accordance with the commission's (or council/township board's) approval.

Other than the building official (which is defined in the state law), the titles and responsibilities of zoning administration, planning, and enforcement are largely left to local jurisdictions to define. Small communities often have the same employee wearing many hats. For example with the village manager serving as planner and zoning administrator, too. The building official may be shared by several communities or they may be housed at the county offices

Official vs. Inspector – What's the Difference?

According to Michigan Law (Act 54 of 1986):

“Building official” means a construction code enforcement person working as an inspector, or plan reviewer, or actively engaged in the administration and enforcement of adopted building, electrical, mechanical, or plumbing codes, or any combination of these codes

“Inspector” means the person responsible for the administration and enforcement of the construction of buildings, structures, or appurtenances under the requirements of the code

What the Law Says:

Qualifications and Ethical Considerations

The Incompatible Public Office Act (Act 566 of 1978) encourages the faithful performance of official duties by prescribing standards of conduct for public officers and employees and prohibiting the same person from holding incompatible offices simultaneously.

Building Officials and Inspectors Registration Act (Act 54 of 1986):

Performing instructional duties for educational purposes and providing contractual inspection and consulting services in construction code enforcement shall not be considered conflicts of interest.

An inspector shall not be permitted to inspect his or her own work.

A local government may establish additional requirements and restrictions in the selection and hiring of construction code enforcement officials, inspectors, and plan reviewers. State law shall not be construed to limit or restrict the type of internal administrative organization an enforcing agency may choose, or to limit or otherwise affect the authority of the enforcing agency to dismiss or suspend a building official, inspector, or plan reviewer at its discretion.

In addition, a local unit of government may adopt a Code of Ethics ordinance that a employees must abide by. Employees may be required to swear or affirm an oath of office.

where building permits are issued. Sometimes, even the local police department provides code enforcement.

By contrast, large communities may have several code enforcement officers allocated to a certain area of the community or a particular ordinance (for example, parking, tall grass, property maintenance). Likewise, larger communities may have several planners or zoning administrators.

The Michigan Association of Code Enforcement Officers (MACEO) defines itself as an organization of persons responsible for the enforcement of land use, nuisance, zoning, environmental, building and property maintenance codes for the state, a county, or local municipal entity.

Code enforcement professionals are known by many different titles including code compliance, nuisance enforcement, and property maintenance. Code enforcement operating under any of these names enforces ordinances pertaining to animals, inoperable/abandoned vehicles, grass and weeds, junk/trash, property maintenance, blight, and nuisances.

The term “zoning administration” is often used to cover a wide variety of municipal activities associated with the adoption, administration and enforcement of a municipal zoning ordinance and other development codes (e.g. parking, landscape, design). The zoning administrator is responsible for ensuring the integrity and effectiveness of this process and for the public support it receives. Some communities use the term zoning officer.

It is common for the zoning administrator to perform many administrative functions for the municipality. These functions may vary depending upon the complexity of local ordinances and whether other staff is working with the zoning board of appeals and planning commission. The zoning administrator often acts as a clerk to the planning commission or zoning board of appeals. In that role, the zoning administrator may set meeting agendas, schedule public hearings, and assist appointed officials in performing their duties.

Some states, like North Carolina and Pennsylvania, offer licensing for zoning officials/administrators/officers. Still other states offer and recognize the title of CZO or certified zoning official to distinguish zoning officials who have met and maintained a minimum level of education and training. Michigan does not.

Planners are not licensed by the state of Michigan. However, the American Planning Association offers planners the opportunity to become certified. The American Institute of Certified Planners provides the only nationwide, independent verification of planners' qualifications. Certified planners pledge to uphold high standards of practice, ethics, and professional conduct, and pursue continuing education. A planner must meet minimum eligibility requirements, and sit for and pass a rigorous examination.

Building officials and inspectors for building and the various trades (plumbing, mechanical, electrical) are defined under Michigan Law. The Building Officials and Inspectors Registration Act (Act 54 of 1986) regulates how building officials, plan reviewers, building inspectors, electrical inspectors, mechanical inspectors, and plumbing inspectors shall register and their continuing education requirements.

This tear sheet was developed by the Michigan Association of Planning (MAP) for the Michigan Economic Development Corporation (MEDC). The Michigan Association of Planning is a 501 c 3 organization, dedicated to promoting sound community planning that benefits the residents of Michigan. MAP was established in 1945 to achieve a desired quality of life through comprehensive community planning that includes opportunities for a variety of lifestyles and housing, employment, commercial activities, and cultural and recreational amenities.

