

224.000 - SEVERE WEATHER PROTECTION SHELTER INSTALLATION REQUIREMENTS FOR NEW SINGLE-FAMILY RESIDENTIAL DWELLING UNIT CONSTRUCTION Ord. No. 03-01 Adopted: January 20, 2003

An Ordinance To Prescribe The Standards For The Construction Of Severe Weather Protection Shelters As Part Of Residential Construction.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF ATLAS, COUNTY OF GENESEE, STATE OF MICHIGAN ORDAINS:

224.001 - Title.

Sec. I. This ordinance shall be known and cited as the Atlas Township Severe Weather Protection Shelter Ordinance.

224.002 - Purpose.

Sec. II. The United States has been divided into four zones that geographically reflect the number and strength of extreme windstorms. Genesee County is located near the border of Wind Zones III and IV, which are indicative of an area which experience design wind speeds (3-second gusts) in excess of 200 mph. Local building codes consider the effects of "code-approved" design winds. A tornado can cause winds much greater than those on which local code requirements are based. Having a house built to "code" does not mean that a house can withstand wind from any event, no matter how extreme. Genesee County Emergency Management has reported that Genesee County has the distinction of having more tornadoes than any other county in the state of Michigan. Federal Emergency Management Agency Guidelines indicate Genesee County is in a "high risk" wind zone area and that a shelter is the preferred method of protection from high winds. The purpose of this ordinance is to establish standards for the installation of such shelters for new single-family residential dwelling unit construction.

224.003 - Definitions.

Sec. III.

1. *Dwelling*: A structure or portion thereof, which is used exclusively for human habitation.
2. *Dwelling, Single-Family*: A building designed exclusively for one-family residential use.
3. *Modular House*: A house constructed of modular units that have been built elsewhere and which are brought to the site, in whole or in parts, and installed on a permanent foundation.

224.004 - Applicability.

Sec. IV. Only single-family dwelling units receiving an approved building permit on or after the effective

date of this ordinance shall be subject to the construction standards specified herein.

#### 224.005 - Construction standards.

Sec. V. All single-family residential dwelling units shall be attached to a permanent foundation. Severe weather protection shelter installation shall be in accordance with the in-residence shelter specifications contained in the Federal Emergency Management Agency report. *Taking Shelter From the Storm: Building a Safe Room Inside Your House*, Second Edition, August 1999, as may be amended. However, the shelter location shall be limited to the basement and be directly beneath the dwelling, or house.

#### 224.006 - Exemptions.

Sec. VI. Residential structures providing basements or equivalent consistent with BOCA Building Code equal to not less than twenty-five (25) percent of the dwelling's first floor footprint area.

#### 224.007 - Violations.

Sec. VII. Violation of this ordinance is a municipal civil infractions. In addition to pursuing a municipal civil infraction proceeding, the Township may also institute an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive. Each day a violation of this ordinance shall exist shall be deemed a separate offense. In addition to a fine to be determined by the township board, the court, at its discretion, may award other costs, attorney's fees, damages, expenses and other remedies as provided by law.

(Amended: Ord. No. 16-02, §§ 1, 2, 6-20-16)

#### 224.008 - Nuisance.

Sec. VIII. A violation of this ordinance is hereby declared to be a public nuisance, which may be abated by an injunction issued out of a court of record.

#### 224.009 - Effective date.

Sec. IX. This ordinance shall be effective thirty (30) days after publication.