

CHAPTER 1482

Rental Housing Regulations

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CROSS REFERENCES

State Housing Code - see M.C.L.A. Secs. 125.401 et seq.
Municipal Housing Act - see M.C.L.A. Secs. 125.651 et seq.
Municipal housing commissions - see M.C.L.A. Secs. 125.653 et seq.
Adoption, promulgation and publication of rules - see M.C.L.A. Sec. 125.694b
Board of Tenant Affairs - see M.C.L.A. Secs. 125.699 et seq.
Acquisition and maintenance of housing projects - see M.C.L.A. Secs. 125.731 et seq.
Hotels, boarding and lodging houses - see M.C.L.A. Secs. 427.1 et seq.; B.R. & T. Ch. 836, Ch. 868
Housing Commission - see ADM. Ch. 274
Numbering of multifamily dwellings - see B. & H. 1470.03
State Housing Law - see B. & H. Ch. 1484
Smoke detectors in dwellings - see F.P. 1610.14(b), (c)

1482.01 DEFINITIONS.

As used in this chapter:

- (a) **"Approved"** means approved by the local or State authority having administrative authority.
- (b) **"Building"** means a structure or part thereof.
- (c) **"Dwelling unit"** means any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking or eating.

- (d) **"Emergency escape window or door"** means an outside window or door, operable from the inside without the use of tools, and providing a clear opening of not less than twenty inches (50.8 cm.) in width, twenty-four inches (sixty-one cm.) in height and 5.7 square feet (.53 sq. m.) in area. The bottom of the opening shall not be more than forty-four inches (112 cm.) off the floor. Such means of escape shall be acceptable if:
- (1) The window is within twenty feet (6.1 m.) of the grade.
 - (2) The window is directly accessible to an approved rescue apparatus.
 - (3) The window or door opens onto an exterior balcony.
- (e) **"Habitable room"** means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, pantries, kitchenettes and utility rooms of less than fifty square feet of floor space, foyers or communicating corridors, stairways, closets, storage spaces and workshops.
- (f) **"Housing Administrator"** means that person appointed by the City Manager who is charged with the administration of this chapter, or the Housing Administrator's duly authorized representative.
- (g) **"Occupant"** means any person over one year of age living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit or a rooming unit.
- (h) **"Owner"** means any person who has equitable or legal title to any premises, dwelling or dwelling unit.
- (i) **"Premises"** means a platted lot or part thereof, or an unplatted lot, parcel of land or plot of land, either occupied or unoccupied by any dwelling or nondwelling structure, and includes any building, accessory structure or other structure thereon.
- (j) **"Rental dwelling unit"** means all dwellings, dwelling units and habitable rooms which are leased or otherwise made available for rental purposes, except:
- (1) Hotels and motels;
 - (2) Any dwelling unit or mobile home which the State has exclusive authority under State law to inspect and regulate;
 - (3) The principal residence of the owner which is temporarily occupied by persons other than the owner for not more than two years; and
 - (4) Dwellings in a dormitory operated by an institution of higher education.
- (k) **"Renter"** means any person who, alone or jointly or severally with others, has the right to occupy a premises and pays compensation therefor, and includes a tenant.
- (l) **"Rooming house"** means a residential building where rooms or suites of rooms are rented and where the renters use common facilities, such as hallways and bathrooms. A rooming house shall not include hotels, motels, apartment houses, two and multi-family dwellings or fraternity and sorority houses.

- (m) **"Structure"** means anything constructed or erected, the use of which requires a more or less permanent location on the ground or an attachment to something having a permanent location on the ground, including, but not limited to, advertising signs, billboards, back stops for tennis courts and pergolas. (Ord. 259. Passed 10-3-88.)

1482.02 SCOPE.

This chapter is enacted to protect the public health, safety and welfare for all dwelling units which are not owner occupied. Toward that goal, this chapter establishes the following:

- (a) Minimum standards for the maintenance of rental structures and the surrounding premises;
- (b) Responsibilities of owners, renters, operators and occupants of such structures; and
- (c) Administration, enforcement and penalties. (Ord. 259. Passed 10-3-88.)

1482.03 INTERPRETATION.

This chapter shall be construed liberally to ensure the public health, safety and welfare as they are affected by the maintenance of rental structures and premises. The provisions of this chapter shall be deemed cumulative and shall not be construed to prevent the enforcement of other ordinances or regulations or the utilization of other remedies. (Ord. 259. Passed 10-3-88.)

1482.04 APPLICATION OF STATE CONSTRUCTION CODE.

In the event of a conflict between this chapter and the *State Construction Code*, any repair or alteration to a structure, or change of use therein, which may be caused directly or indirectly by the enforcement of this chapter, shall be done in accordance with the *State Construction Code*. (Ord. 259. Passed 10-3-88.)

1482.05 DUTIES OF HOUSING ADMINISTRATOR.

The Housing Administrator shall see that this chapter is enforced. The City Manager shall appoint the Housing Administrator. The Housing Administrator, with the consent of the City Manager, may appoint subordinates to exercise all or part of the authority of the Housing Administrator.
(Ord. 259. Passed 10-3-88.)

1482.06 RENTAL HOUSING BOARD OF APPEALS.

- (a) **Establishment; Terms; Meetings; Secretary.** A Rental Housing Board of Appeals is hereby established in and for the City, consisting of five members of legal age who reside in the City. Members shall be appointed by the City Commission and shall serve without compensation. Members shall be appointed to serve three-year terms, except for the initial appointments of three members for terms of three years and two members for terms of two years. Subsequent appointments shall be for three-year terms and members shall be eligible for reappointment. In the event of a vacancy, interim appointments shall be made by the City Commission to complete the unexpired term.

The Board shall meet monthly or more frequently at the call of the Chairperson and shall adopt rules for the conduct of its business, subject to the approval of the City Commission.

The Housing Administrator or his or her designee shall serve as Secretary to the Board.

- (b) **Appeals.** Any aggrieved party may appeal a decision of the Housing Administrator to the Board. The Board may interpret this chapter. After a public meeting, the Board may grant a specific variance to a substantive requirement of this chapter if the literal application of such substantive requirement would result in an exceptional, practical difficulty to the applicant, and if the performance of the particular item or part of the building or structure with respect to which the variance is granted shall be adequate for its intended use and shall not substantially deviate from performance required by this chapter of that particular item or part for the public health, safety and welfare.

The Board of Appeals may attach, in writing, any condition in connection with the granting of a variance that, in its judgment, is necessary to protect the public health, safety and welfare. The breach of a condition shall automatically invalidate the variance and any permit, license and certificate granted on the basis of it. In no case shall a variance from the provisions of this chapter be granted that is more than the minimum necessary to alleviate the exceptional, practical difficulty. The Board may not modify, subtract from or add to this chapter, except as may be incidental in its interpretation and grant of a variance. Decisions of the Board shall be final.

(Ord. 343. Passed 4-5-93.)

1482.07 APPLICATION OF CHAPTER TO EXISTING STRUCTURES.

This chapter establishes the minimum requirements for the initial and continued

occupancy and use of every dwelling unit which is not owner occupied. Such structures and premises existing on the effective date of this chapter (Ordinance 259, passed October 3, 1988) shall be brought into full compliance not more than twelve months from such effective date or such earlier or later date as may be ordered by the Housing Administrator for good cause involving health and safety. (Ord. 259. Passed 10-3-88.)

1482.08 EXTERIOR REQUIREMENTS.

- (a) **Scope and Responsibility.** The owner of the rental dwelling unit shall maintain such structures and exterior premises in compliance with the requirements of this section. A person shall not rent to another for occupancy or use premises which do not comply with this section after notice of code violation has been sent or communicated. (Ord. 390. Passed 9-6-94.)
- (b) **Premises Conditions.**
- (1) **Sanitation.** All exterior premises shall be maintained in a safe condition and shall not be initially rented for occupancy unless in a sanitary condition as described by Section 1482.15.
 - (2) **Grading and drainage.** All exterior property shall be graded and maintained so as to prevent the accumulation of stagnant water thereon.
- (c) **Structural Conditions.**
- (1) **Generally.** The exterior of a building shall be structurally sound and sanitary so as not to pose a threat to the health and safety of the occupants, neighbors or the general public, and so as to protect the occupants from the outside environment.
 - (2) **Structural members.** All supporting structural members of buildings shall be kept structurally sound, free of deterioration and maintained so as to be capable of safely bearing the dead and live loads imposed upon them.
 - (3) **Exterior surfaces.** Every foundation, exterior wall, roof and other exterior surface shall be maintained in a workmanlike state of maintenance and repair and shall be kept in such condition as to exclude rodents and birds.
 - (4) **Foundation walls.** All foundation walls shall be maintained so as to carry the safe design and operating dead and live loads and shall be maintained sound and free from open cracks and breaks.
 - (5) **Exterior walls.** Exterior walls shall be free of holes, breaks, loose or rotting boards or timbers and other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building. All exterior surface materials, including wood, composition or metal siding, shall be maintained weatherproof and shall be properly surface coated, when required, to prevent deterioration, such as by painting or similar surface treatment.
 - (6) **Roofs.** The roof shall be structurally sound, tight and shall not have defects

which might admit rain. Roof drainage shall be adequate to prevent rain water from causing dampness in the walls or interior portion of the building.

- (7) **Chimneys.** All chimneys and similar appurtenances shall be maintained structurally safe, sound and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (8) **Stairs and porches.** Every stair, porch and balcony, and any appurtenance attached thereto, shall be constructed to be safe for use and capable of supporting the loads to which it is subjected and shall be kept in sound condition and good repair.
- (9) **Window and door frames.** Every window, door and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain as completely as possible and to substantially exclude wind from entering the dwelling or structure.
- (10) **Weathertight.** Windows and exterior doors shall be fitted reasonably in the frames and shall be weathertight. Weather stripping shall be used to exclude wind or rain from entering the dwelling or structure and shall be kept in sound condition and good repair.

1482.09 INTERIOR REQUIREMENTS.

- (b) **Scope and Responsibility.** The owner and the renter of a rental dwelling unit shall maintain the interior of a structure and its equipment in a safe, structurally sound and sanitary condition and in compliance with the requirements of this section. Both the owner and the renter shall be jointly and severally responsible for compliance.
- (c) **Structural Members.** The supporting structural members of every building shall be maintained so as to be structurally sound and shall not show any evidence of deterioration which would render them incapable of carrying the imposed loads.
- (d) **Interior Conditions.**
 - (1) **Surfaces.** Floors, walls, including windows and doors, ceilings and other interior surfaces shall be maintained in a good, clean and sanitary condition. Peeling paint, cracked or loose plaster, decayed wood and other defective surface conditions shall be eliminated.
 - (2) **Lead-based paint.** Lead-based paint with a lead content of more than 0.5 percent shall not be applied to any interior or exterior surface of a dwelling,

dwelling unit or child care facility, including fences and outbuildings at these locations. Existing interior and exterior painted surfaces of dwelling units and child care facilities that contain an excess of 0.5 percent lead shall be removed or covered with paneling or other suitable covering approved by the Housing Administrator.

- (3) **Bathroom and kitchen floors.** Every toilet, bathroom and kitchen floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- (4) **Decay.** Every dwelling unit and common space shall be maintained reasonably free from mold, mildew, standing water and other conditions conducive to decay or deterioration of the structure.
- (e) **Exit Doors.** Every door available as an exit shall be capable of being opened easily from the inside without the use of a key.
- (f) **Exit Facilities.** All interior stairs and railings and other exit facilities of every structure shall be maintained in sound condition and good repair by replacing treads and risers that evidence excessive wear or that are broken, warped or loose. Every inside stair shall be so constructed and maintained as to be safe to use and capable of supporting the anticipated loads. (Ord 259. Passed 10-3-88.)

1482.10 LIGHT AND VENTILATION.

- (a) **Scope and Responsibility.** The owner of the rental dwelling unit shall provide and maintain light, ventilation and space conditions in compliance with the requirements of this section. A person shall not rent to another for occupancy or use any premises which do not comply with such requirements after notice of code violation has been sent or communicated.(Ord. 391. Passed 9-6-94).
- (b) **Alternative Devices.** In place of the means for natural light and ventilation herein prescribed, alternative arrangement of windows, louvers or other methods and devices that will provide the equivalent minimum performance requirements shall be permitted when complying with the State Construction Code.
- (c) **General Requirements.**
 - (1) All spaces or rooms shall be provided sufficient light and ventilation so as not to endanger health and safety.
 - (2) Every habitable room shall have at least one window of an approved size facing directly to the outdoors or to a court. The minimum total window area, measured between stops, for every habitable room shall be eight percent of the floor area of such room, except in rooms where artificial light may be

provided in accordance with the State Construction Code.

1482.11 PLUMBING.

- (a) **Scope and Responsibility.** The owner of a building in which there is a rental dwelling unit shall provide and maintain plumbing facilities and fixtures in compliance with the requirements of this section. A person shall not rent to another for occupancy or use any structure or portion thereof or premises which do not comply with such requirements after notice of code violation has been sent or communicated. (Ord. 392. Passed 9-6-94.)
- (b) **Required Facilities.** Every rental dwelling unit shall have its own plumbing facilities which are in proper operating condition, which can be used in privacy and which are adequate for personal cleanliness and the disposal of human waste. All plumbing facilities shall be supplied and maintained in a sanitary and safe working condition.
- (c) **Water Closet and Lavatory.** Every rental dwelling unit shall contain within its walls a room, separate from habitable rooms, which room affords privacy and a water closet supplied with cold running water. The lavatory may be placed in the same room as the water closet or, if located in another room, the lavatory shall be located in close proximity to the door leading directly into the room in which such water closet is located. The lavatory shall be supplied with hot and cold running water.
- (d) **Bathtub or Shower.** Every rental dwelling unit shall contain a room which affords privacy to a person in such room and which is equipped with a bathtub or shower supplied with hot and cold running water.
- (e) **Kitchen Sink.** Every rental dwelling unit shall contain a kitchen sink apart from the lavatory required under this section, and such sink shall be supplied with hot and cold running water.
- (f) **Rooming Houses.** At least one water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewerage system and in good working condition, shall be supplied for each four rooms within a rooming house wherever such facilities are shared. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times. A kitchen sink need not be provided for rental dwelling units in a rooming house.

(g) **Water System.**

- (1) **Generally.** Every sink, lavatory, bathtub, shower, drinking fountain, water closet or other facility shall be properly connected to either a public water system or to an approved private water system. All lavatories, bathtubs, showers and required sinks shall be supplied with hot and cold running water.
- (2) **Contamination.** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the overflow rim of the fixture.
- (3) **Supply.** The water supply system shall be installed and maintained to provide at all times a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable them to function satisfactorily.
- (4) **Water heating facilities.** Where hot water is provided, water heating facilities shall be installed in an approved manner, properly maintained and properly connected with hot water lines to the fixtures required to be supplied with the hot water. Water heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower, laundry facility or other similar unit at a temperature of not less than 110 degrees Fahrenheit (43.33 degrees Centigrade).

(h) **Sewerage System.**

- (1) **Generally.** Every sink, lavatory, bathtub, shower, drinking fountain, water closet or other facility shall be properly connected to either a public sewerage system or to an approved private sewage disposal system.
- (2) **Maintenance.** Every plumbing stack, waste and sewer line shall be so installed and maintained as to function properly and shall be kept free from obstructions, leaks and defects to prevent structural deterioration or health hazards. All repairs and installations shall be made in accordance with the *State Construction Code*.

1482.12 MECHANICAL REQUIREMENTS.

- (a) **Scope and Responsibility.** The owner of a building in which there is a rental dwelling unit shall provide and maintain such mechanical facilities and equipment in compliance with the requirements of this section. A person shall not rent to another for occupancy any premises which do not comply with the requirements of this section after notice of code violation has been sent or communicated. (Ord. 393. Passed 9-6-94.)
- (b) **Heating Facilities.** Every dwelling shall be provided with heating facilities capable of maintaining a room temperature of sixty-five degrees Fahrenheit (18.33 degrees Centigrade) at a point three feet (0.91 m.) above the floor and three feet (0.91 m.) from any exterior wall.

- (c) **Cooking and Heating Equipment.** All cooking and heating equipment, components and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions and shall be kept functioning properly so as to be free from fire, health and accident hazards. All installations and repairs shall be made in accordance with the *State Construction Code* or other law or ordinances applicable thereto.
- (d) **Portable Cooking Equipment.** Portable cooking equipment employing flame is prohibited, except for approved residential type food trays or salvers which are heated by a candle or alcohol lamp.
- (e) **Installations.** All mechanical equipment shall be properly installed and safely maintained in good working condition and shall be capable of performing the function for which it was designed and intended.
- (f) **Flues.** All fuel-burning equipment shall be connected to an approved chimney, flue or vent, and all required clearances to combustible materials shall be maintained. All chimneys shall be free of excessive creosote buildup.
- (g) **Safety Controls.** All safety controls for fuel-burning equipment shall be maintained in effective operation.
- (h) **Combustion Air.** A supply of air for the complete combustion of fuel and for ventilation of the space shall be provided to the fuel-burning equipment.
- (i) **Fireplaces.** A fireplace or other construction or device intended for a use similar to a fireplace shall be stable, structurally safe and connected to an approved chimney.

1482.13 ELECTRICAL REQUIREMENTS.

- (a) **Scope and Responsibility.** The owner of a building in which there is a rental dwelling unit shall provide and maintain electrical facilities and equipment in compliance with the requirements of this section. A person shall not rent to another for occupancy any premises which do not comply with the requirements of this section after notice of code violation has been sent or communicated. (Ord. 394. Passed 9-6-94.)
- (b) **Outlets.** Every room, except a closet, shall contain at least two separate and remote

outlets, one of which may be a ceiling or wall-type electric light fixture. In a kitchen, three separate and remote wall-type electric convenience outlets or two such convenience outlets and one ceiling or wall-type electric light fixture shall be provided. Every public hall, water closet compartment, bathroom, laundry room or furnace room shall contain at least one electric light fixture. In addition to the electric light fixture in every bathroom and laundry room, there shall be at least one electric outlet.

- (c) **Installations.** All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws. All electrical equipment shall be of an approved type.
- (d) **Defects.** Where it is found, in the opinion of the Housing Administrator, that the electrical system in a structure constitutes a hazard to the occupants or to the structure by reason of inadequate service, improper fusing, insufficient outlets, improper wiring installation, deterioration or damage, or for similar reasons, the Housing Administrator shall require that the defects be corrected to eliminate the hazard.
- (e) **Elevators, Escalators and Dumbwaiters.** Accessible elevators, dumbwaiters and escalators shall be maintained to safely sustain the loads to which they are subject, to operate properly and to be free of physical and fire hazards.

1482.14 FIRE SAFETY.

- (a) **Scope and Responsibility.** The owner of a rental dwelling unit shall provide and the renter shall maintain fire safety facilities and equipment in compliance with the requirements of this section, other ordinances and State law. No person shall rent to another for occupancy any premises which do not comply with the requirements of this section after notice of code violation has been sent or communicated.(Ord. 395. Passed 9-6-94.)
- (b) **Egress.** A safe, continuous and unobstructed means of egress shall be provided from the interior of a structure to the exterior at a street, or to a yard, court or passageway leading to a public open area at grade.
- (c) **Direct Exit.** Every dwelling unit or room shall have access directly to the outside or to a public corridor.
- (d) **Locked Doors.** All doors in the required means of egress shall be readily openable from the inside without the use of keys. Exits from dwelling units shall not lead through other such units or through toilet rooms or bathrooms.

- (e) **Fire Escapes.** All required fire escapes shall be provided and maintained in working condition and shall be structurally sound.
- (f) **Emergency Escapes.**
- (1) **Windows or doors.** Every sleeping room shall have a safe means of emergency escape to the outside consisting of an emergency escape window or door.
 - (2) **Maintenance.** Emergency escape windows and doors shall be maintained operational and available to occupants of sleeping rooms in residential uses.
 - (3) **Security.** Bars, grilles, grates or similar devices shall not be installed in a required emergency escape window except when such devices are equipped with approved release mechanisms which are openable from the inside without the use of a key, special knowledge or excessive force.
- (g) **Accumulation and Storage.**
- (1) **Waste materials.** Waste, refuse or other materials shall not be allowed to accumulate in stairways, passageways, doors, windows, fire escapes or other means of egress.
 - (2) **Flammable and explosive matter.** Highly flammable or explosive matter, such as paints, volatile oils and cleaning fluids, or combustible refuse, such as waste paper, boxes and rags, shall not be accumulated or stored on residential rental premises except in reasonable quantities consistent with normal usage.
 - (3) **Flammable liquids.** A rental dwelling unit shall not be located within a structure containing an establishment handling, dispensing or storing flammable liquids with a flash point of 110 degrees Fahrenheit (43.33 degrees Centigrade) or lower, except as provided for in the *State Construction Code*.
 - (4) **Generally.** Floors, walls, ceilings and other elements and components, when provided to meet a fire resistant rating, shall not be altered so that the respective fire resistant rating of the enclosure, separation or construction is diminished.
- (h) **Fire Protection Systems.**
- (1) **Generally.** All fire protection systems and equipment shall be maintained in proper operating condition at all times.
 - (2) **Fire alarms.** Fire alarms and detecting systems shall be maintained and shall be suitable for their respective purposes.
 - (3) **Fire extinguishers.** All portable fire extinguishers shall be visible, accessible and maintained in an efficient and safe operating condition.

- (4) **Smoke detectors.** Smoke detectors shall be provided as required by City ordinances.

1482.15 SANITATION.

- (a) **Cleanliness.** Every renter shall keep that part of the structure or premises thereof which that renter occupies, controls or uses in a clean and sanitary condition and in accordance with the requirements of this section. Every owner of rental premises shall maintain, in a clean and sanitary condition and in accordance with this section, the shared or public areas of the dwelling and premises thereof, and the rented portion if the occupant fails to do so.
- (b) **Disposal of Rubbish and Garbage.** Every renter shall dispose of rubbish and garbage in a clean and sanitary manner by placing it in a suitable covered container, or if such is not available, by removing all such matter.
- (c) **Garbage and Rubbish Storage Facilities.** The renter shall supply suitable containers and covers for the storage of rubbish and shall be responsible for the removal of garbage and rubbish.
- (d) **Extermination.** If necessary, the owner of any structure shall be responsible for the extermination of insects, rats or other pests within the structure prior to renting the structure. The renter of a single-family dwelling unit shall be responsible for the extermination of any insects, rats or other pests in the structure or on the premises occurring during the occupancy.
- (e) **Vermin or Rat Infestation.** Continuing or repeated incidents of rat infestation shall require the installation of rat and vermin-proof walls by the owner. The rat and vermin-proof walls shall be installed in accordance with the *State Construction Code*. The renter shall be responsible for the continued rat-proof condition of the dwelling unit, and if the renter fails to maintain the rat-proof condition, the cost of extermination shall be the responsibility of the renter.
- (f) **Insect and Rat Control.** The exterior of the property shall not be infested by insects, rats, vermin or other pests. Whenever infestation exists, extermination shall be the immediate responsibility of the owner.

(Ord. 259. Passed 10-3-88.)

1482.16 ROOMING HOUSES.

- (a) **Application.** This chapter is applicable to rooming houses whether or not owner occupied.

- (b) **Additional Requirements.** Rooming houses shall meet license requirements or other requirements of these Codified Ordinances or other applicable laws and statutes. (Ord. 259. Passed 10-3-88.)

1482.17 AMENDMENTS.

Any amendment to this chapter shall be made by the City Commission in accordance with the procedure established for amending any other portion of these Codified Ordinances. (Ord. 259. Passed 10-3-88.)

1482.18 CONFLICT OF LAWS.

If any of the provisions of this chapter are inconsistent with the provisions of any other statute, State administrative regulation or ordinance of the City presently existing or enacted in the future, the more restrictive requirement shall apply.

(Ord. 259. Passed 10-3-88.)

1482.19 ENFORCEMENT.

- (a) **Rules and Regulations.** The City Manager may, as may be necessary in the interest of the public safety, health and general welfare, adopt and promulgate rules and regulations to interpret and implement this chapter.
- (b) **Notices.** The Housing Administrator shall issue all necessary notices and orders to ensure compliance with this chapter.
- (c) **Inspections.** The Housing Administrator is authorized to inspect upon the consent of the person in charge of the area to be inspected or upon the issuance of a warrant.
- (d) **Obstruction of Inspections.** No owner, renter, occupant or other person in charge of a structure or premises subject to this chapter shall refuse, impede, inhibit, interfere with, restrict or obstruct entry and free access to any part of a structure or premises where an inspection authorized by this chapter is sought. The Housing Administrator may seek an order to cease and desist with such interference from a court of competent jurisdiction.
- (e) **Obstruction of Repairs.** No renter or occupant of any structure or premises shall refuse access to the owner or operator thereof, at reasonable times, for the purpose of making inspections, maintenance, repairs or alterations as necessary to comply

with this chapter.

- (f) **Appearance Tickets.** The Housing Administrator, or his or her authorized representative is hereby authorized to issue and serve appearance tickets with respect to any violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (M.C.L.A. 764.9c(2); M.S.A. 28.868(3)(2)). Appearance tickets shall be in such form as determined by the City Attorney in conformity with all statutory requirements.
- (g) **Order to Vacate.** In the event of an emergency and a situation causing danger to persons or property, the Housing Administrator may order that the property be vacated after determining, in writing, that a provision of this chapter has been violated and that a danger and emergency exist.
- (h) **Alternate Responsibility.** Notwithstanding other provisions of this chapter assigning responsibility, a person who is an occupant, renter or owner and who repeatedly causes violations of this chapter is also responsible and subject to the penalties herein provided.

(Ord. 259. Passed 10-3-88.)

1482.99 PENALTY.

A person who violates any provision of this chapter is responsible for a civil infraction.

(Ord. 450. Passed 7-7-97.)