

CITY OF HANCOCK
COUNTY OF HOUGHTON, STATE OF MICHIGAN
RESIDENTIAL RENTAL PROPERTY ORDINANCE

An ordinance to regulate rental properties in the City of Hancock; to permit rentals; to describe the licensing process and fees; to describe expectations and requirements of landlords; to issue proper rental licenses, collect payments of fees and conduct inspections; to provide an enforcement and appeals process; penalties for violation of this ordinance; and to provide effective dates.

ORDINANCE NO. 306

ADOPTED: OCTOBER 21, 2020

EFFECTIVE: FEBRUARY 1, 2021

PURSUANT TO THE CITY OF HANCOCK CHARTER SECTION 5.3

THE CITY OF HANCOCK

HEREBY ORDAINS:

1. The complete repeal of all current language of Title IX: General Regulations, Chapter 99: Rental Registration in the current Hancock City Code of Ordinances (City Code), attached as an appendix to this Ordinance, and to replace it in its entirety the following language:

“RESIDENTIAL RENTAL PROPERTY CODE

SECTION 99.01: SHORT TITLE; PURPOSE.

The Hancock City Council finds that, in order to advance the health, safety, and welfare of the residents of the City of Hancock, Michigan, it is necessary to regulate certain activities, including the Renting of Dwelling Units, or portions thereof, on Residential Rental Property within the City. This Chapter shall be known as the City’s "Residential Rental Property Code."

SECTION 99.02: DEFINITIONS.

The following words, terms, and phrases, when used in this Residential Rental Property Code, shall, except where the context clearly indicates otherwise, have the following meanings:

"Code Official" shall mean the Code Enforcement Officer, anyone fulfilling the duties of the Code Enforcement Officer on either a temporary or permanent basis, or any designee of the City Manager.

"Dwelling Unit" shall mean one room, or a suite of two or more rooms, designed for or used for living and sleeping purposes either permanently or transiently.

"Family" means any of the following:

- (a) Any group of individuals living together as a single housekeeping unit or the functional equivalent of a family, where the residents are a close group with social, economic, and psychological commitments to each other and whose relationship is of a continuous, non-

transient, domestic character with a demonstrable and recognizable bond which constitutes the functional equivalent of the bonds which render the domestic family a cohesive unit;

(b) Not more than three (3) unrelated Persons living together as a single housekeeping unit;

(c) The "functional equivalent of a family" shall not include any organization such as a club, fraternity, sorority, lodge, monastery, or intentional community, nor any individuals whose association is seasonal or for limited durations defined by their occupation/jobs or educational pursuits, nor shall it include a group who share a Dwelling Unit explicitly for financial or philosophical reasons, or include any state-licensed facility except to the extent permitted by law.

"Licensee" shall mean any Owner or Person licensed by the City under this Residential Rental Property Code to rent or let a Dwelling Unit, or portion thereof.

"Long-term" shall mean a period of time that is equal to or greater than (30) days in length."

"Non-Owner Occupied" shall mean any Dwelling Unit in which the Owner resides less than 183 days per calendar year.

"Owner" shall mean the individual or individual(s), natural or corporate, in possession of lawful title to real property. As used in this Residential Rental Property Code, Owner may also include any authorized agent of the possessor of lawful title to real property. For the purposes of this Residential Rental Property Code, the term "Owner" may be used interchangeably with the terms "Person" and "Licensee."

"Owner Occupied" shall mean any Dwelling Unit in which the Owner qualifies under Michigan law for a personal residence exemption, and is allowing one or more persons to rent a portion of the dwelling unit for a period of time.

"Person" shall mean any natural Person, business association, or business entity, including but not limited to corporation, partnership, limited liability company, sole proprietorship, political subdivision of the State or other governmental entity, public or private agency, utility, or any other legal entity, or any successor or assign of any of the foregoing. Also, for the purposes of this Residential Rental Property Code, the term "Person" may be used interchangeably with the terms "Owner" and "Licensee."

"Premises" shall mean a Lot or contiguous Lots under common ownership, together with all buildings, structures, and appurtenances existing thereon. To the extent a lot or building is subdivided and contains a number of individually owned Dwelling Units, each Dwelling Unit and any buildings, structures, and appurtenances owned or used by each Dwelling Unit shall constitute a separate Premises.

"Property Maintenance Code" means Chapter 152 of the Hancock City Code of Ordinances, as may be amended from time to time.

"Re-inspection" or "Re-inspected" shall mean any subsequent inspection conducted for the purpose of verifying that any violations reported during any inspection have been remediated.

"Rent" or "Rental" shall mean, for the purposes of this Residential Rental Property Code, to provide or to offer for possession or occupancy a Dwelling Unit, or any portion thereof to a Renter or guest for consideration, pursuant to a written, oral, or implied agreement.

"Rental Code Board of Appeals" a 5-member board consisting of a City of Hancock Councilmember, City of Hancock Fire Fighter, City of Hancock Licensee who is also a resident of Hancock, City of Hancock Renter, and a City of Hancock resident. Such members shall serve two-year terms upon approval of the City Council. The Council may appoint alternate members at its discretion.

"Rental License" shall mean any license issued by the City under this Residential Rental Property Code for the Renting of Dwelling Units, or portions thereof, on Residential Rental Property within the City.

"Renter" shall mean any Person who occupies a Dwelling Unit, or portion thereof, other than the Owner, the Owner's immediate family (related by blood, marriage, or adoption), or any Person residing with the Owner on Residential Rental Property.

"Residential Rental Property" shall mean any Premises having one or more Dwelling Units, or portions thereof, that are available for Rent.

"Residential Rental Property Inspector" means the legally designated property inspection authority of the City.

"Short-term" shall mean a period of time that is less than thirty (30) days in length. Bed-and-breakfasts and boarding house establishments are considered to be short-term rentals.

SECTION 99.03: RENTALS PERMITTED; RESTRICTIONS.

Residential Rental Property is permitted within the City subject to compliance with the terms of this Residential Rental Property Code. Except as otherwise permitted herein, each Owner Occupied or Non-Owner Occupied Residential Rental Property, including Residential Rental Property rented on a Short-Term or Long-Term basis, must be licensed and inspected under this Residential Rental Property Code prior to the commencement of its use. A Residential Rental Property that is granted a Rental License must, at all times, comply with all provisions of this Residential Rental Property Code and any other section of the City Code, including the occupancy limits established for the zoning district in which it is located. Occupancy of any Dwelling Unit by any Person other than the Owner of record shall be presumed to be a Residential Rental Property subject to this Residential Rental Property Code. A Dwelling Unit cannot be rented without a Rental License.

SECTION 99.04: RENTAL LICENSE REQUIRED.

1) Except as permitted by this section, no Owner or Person shall rent a Dwelling Unit, Residential Rental Property, or any portion thereof, within the City, unless otherwise exempted by this Residential Rental Property Code, without first obtaining and possessing a valid Rental License issued by the City of Hancock Code Official. In the case of multiple Owners of any Residential Rental Property or Dwelling Unit subject to this Residential Rental Property Code, it shall be sufficient for any one of the Owners to have obtained a Rental License for the Dwelling Unit.

2) Dwelling Units or Residential Rental Property existing on the effective date of this Residential Rental Property Code shall be brought into full compliance with the Residential Rental Property Code not more than 12 months from such effective date or such earlier or later date as may be ordered by the Residential Rental Property Inspector or Code Official for good cause involving health and safety.

SECTION 99.05: SHORT-TERM RENTALS.

Short-Term Residential Rental Property must be licensed under the Residential Rental Property Code. A Short-Term Residential Rental Property located in an R-1 zoning district the owner must be on premise at time of rental. A Short-Term Residential Rental Property located outside of an R-1 district is not required to be Owner-Occupied.

SECTION 99.06: RENTAL LICENSE FEES; ADMINISTRATIVE FEE.

All Owners or Persons obtaining a Rental License under this Residential Rental Property Code shall pay to the City an annual Rental License fee and a one-time administrative fee, any and all such fees to be determined and periodically reviewed and changed by City Council resolution. The initial Rental License fee and administrative fee shall be due upon applying for a Rental License. The administrative fee shall not be refundable. The Rental License fee shall not be refundable or prorated, except where an application under Section 99.08 is denied, the Rental License fee submitted in conjunction with the foregoing application shall be refundable upon request. Rental Licenses fees for applications submitted after January 1 of the then current year shall be prorated based upon the date of application.

SECTION 99.07: PROPERTY STANDARDS.

All Residential Rental Properties shall meet the following property standards:

- 1) The Residential Rental Property shall be served adequately by essential public facilities and services.
- 2) The use of the Residential Rental Property shall not result in a population density on the Residential Rental Property site greater than the zoning limitations of the district in which the Residential Rental Property is located.
- 3) The Residential Rental Property shall meet all requirements of the Property Maintenance Code.
- 4) The Residential Rental Property unit shall conform to the building height, area, and yard requirements of the zoning district in which it is located.
- 5) The Residential Rental Property shall provide facilities for the on-site parking of motor vehicles in compliance with the requirements of the City Code, and it will not cause motor vehicles to be stored or used on-site in excess of those normally prevailing for similar uses in the neighborhood.
- 6) Appropriate arrangements or procedures are in place for maintenance of the proposed Residential Rental Property to ensure that the proposed use as a Residential Rental Property does not present an unreasonable risk to the health, safety, or welfare of the residents and land owners immediately adjacent to the proposed land use or activity, and the community as a whole.
- 7) The Residential Rental Property is not the situs of any continuing or unresolved public nuisance as defined by the City Code or state law.
- 8) The Owner and the legal agent demonstrate sufficient ability to maintain and monitor the use of the Residential Rental Property to ensure that the proposed Residential Rental Property does not deteriorate with regard to internal and exterior maintenance, does not accumulate trash or rubbish, and/or does not become the situs of public nuisance as defined by City Code or state law.
- 9) Every Dwelling Unit shall be equipped with a fire extinguisher, and at least one carbon monoxide detector shall be present in a location where the alarm can be heard throughout the Dwelling Unit. Each bedroom and hallway shall be equipped with a smoke and fire detector and there shall be at least one smoke and fire detector on each floor. All detectors shall remain operational. All detectors installed in any new construction shall be hard-wired; likewise, when an existing structure is remodeled so as to expose the electrical wiring, new, hard-wired detectors shall be installed in the remodeled area.
- 10) Habitable attics, habitable basements, and every sleeping room shall meet the egress requirements in the State of Michigan Building Code under the Section Emergency Escape and Rescue Openings or the State of Michigan Residential Building Code as applicable.
- 11) All Residential Rental Properties shall comply with the National Fire Protection Association 101: Life Safety Code, and documents adopted by chapter 2, with all amendments thereto, the National Fire Protection Association No. 1 Fire Code, and documents adopted by chapter 2, with all amendments

thereto, and the International Property Maintenance Code, with all amendments thereto, all in their most recent versions. A copy of the foregoing shall be available for public use upon request at Hancock City Hall.

12) Owners shall provide a durable and clearly labeled recycling bin(s) with capacity for all Renters.

SECTION 99.08: RENTAL LICENSE APPLICATION.

Any proposed Residential Rental Property (including a previously licensed property that is no longer licensed) must submit to the Code Official a Rental Housing License and Registration Form, which shall contain all of the following:

- 1) Street address of the proposed Residential Rental Property;
- 2) Street address of the Licensee if different from the Residential Rental Property and email address of the Licensee;
- 3) Total number of Dwelling Units in the Residential Rental Property;
- 4) Total rental occupancy of each Dwelling Unit;
- 5) Description of the type of Dwelling Units, including the duration of anticipated rentals;
- 6) Floor Plan (with a copy filed with the fire department);
- 7) Site Plan and detail of off-street parking areas;
- 8) Name, local address, and telephone number of Owner or Owner's representative if the Owner does not reside within Houghton County.
- 9) A signed statement from the Owner:
 - a) attesting that the proposed Residential Rental Property is in compliance with the property review standards set forth in Section 99.07,
 - b) stating that the applicant is not a habitual violator as defined in Section 99.17, and
 - c) acknowledging that the continued compliance with the Residential Rental Property Code is required to maintain a Rental License;
- 10) Administrative fee and annual License fee to be determined by council resolution, made payable to City of Hancock; and
- 11) An inspection certificate from the Residential Rental Property Inspector confirming that the Residential Rental Property complies with Section 99.07.

SECTION 99.09: RENTAL LICENSE ISSUANCE; DENIAL; ADDRESS.

1) Within thirty (30) days of the submittal of any application, the Code Official shall approve or deny the application. The Code Official shall approve the application and shall issue to the Owner a Rental License, unless the application is deficient for one of the following reasons:

- a) the application is incomplete;
- b) the application is determined to be fraudulent, to include a material misrepresentation, or to contain a false statement; or
- c) the Code Official, Residential Rental Property Inspector, or other individual authorized by the City Council reasonably believes that the proposed Residential Rental Property is not in compliance with the Residential Rental Property Code or any other section of the City Code.

2) If the application is determined to be deficient because it is incomplete, including the failure to pay the Rental License Fee, the Code Official shall give notice to the Owner and permit the Owner fourteen (14) days therefrom within which to provide a completed application. If the Owner fails to complete the application within the fourteen-day period, then the application shall be denied. If application is deemed deficient for any other reason, it shall be denied.

3) If the application is denied under this Section, then the Code Official shall deny the application by giving Notice of Denial to the Owner or any resident agent. Notice of Denial shall be in writing, shall be mailed to the Owner or any resident agent, shall inform the Owner of the reason for denial with specificity, including all documentation supporting the denial, and shall state that the Owner has fourteen (14) days from the date of the Notice of Denial in which to file with the Rental Code Board of Appeals any written Notice of Appeal in accordance with Section 99.14. The Code Official shall maintain a copy of the Notice of Denial in their files.

4) Licensees shall promptly notify the City of any change in Licensee's address or email address.

SECTION 99.10: RENTAL LICENSE TERM; RENEWAL.

Unless renewed, revoked, or otherwise terminated in the interim, the Rental License shall be valid from the time that it is issued until it expires at 11:59 p.m. on June 30th of the then-current year. Rental licenses shall renew on an annual basis, but only if the following conditions are satisfied:

1) On or before thirty (30) days prior to expiration, the Licensee shall remit the then-present administration fee due to the City Clerk and submit the License Renewal Application, which shall be made available by the City. The renewal application shall require that the applicant reaffirm that the Residential Rental Property is in compliance with the Residential Rental Property Code.

2) The Residential Rental Property has no outstanding amounts due to the City, including utility bills, greater than 6-months delinquent.

3) The property is not presently in violation of any provisions of the City of Hancock Code of Ordinances, including this Residential Rental Property Code.

SECTION 99.11: INSPECTIONS.

All Residential Rental Properties must comply with the Property Maintenance Code and failure to comply with the Property Maintenance Code shall be a violation of this Residential Rental Property Code. An inspection of a Dwelling Unit or Residential Rental Property may be requested by the City at the sole discretion of the City.

1) Absent exigent circumstances, whenever it is necessary to make an inspection or to enforce any provisions of this Residential Rental Property Code, or whenever the Code Official has reasonable suspicion that there exists in any Dwelling Unit on any Residential Rental Property subject to this Residential Rental Property Code any condition or violation that makes such Dwelling Unit or Residential Rental Property unsafe, dangerous, hazardous, or a public nuisance, the Code Official shall have the right, after giving seventy-two (72) hours written notice to the Licensee, to enter the Premises or any Dwelling Unit thereon, at all reasonable times to inspect the same or to perform any duty imposed by this Residential Rental Property Code, provided that such entry is made in accordance with the law. At the time of inspection, if the Dwelling Unit or Residential Rental Property is occupied, then the Code Official shall first attempt to make contact with the occupant, present proper credentials, and request entry. If the Dwelling Unit or Residential Rental Property is unoccupied, the Code Official is unable to

make contact with the occupant, or the Code Official is denied consent to enter, then the Code Official shall have the right to seek entry by way of an administrative search warrant or other lawful means.

2) Failure of the Licensee to make the Residential Rental Property or Dwelling Unit available for inspection by the Residential Rental Property Inspector (including if the Dwelling Unit or Residential Rental Property is unoccupied, the Code Official is unable to make contact with the occupant, or the Code Official is denied consent to enter) shall be a violation of this Residential Rental Property Ordinance and may result in the revocation or denial of the Rental License.

3) When a Re-inspection is required a fee will be assessed. That fee will be set by City Council Resolution.

SECTION 99.12: VIOLATIONS; ALTERNATE COMPLIANCE.

1) It shall be deemed a violation of this Residential Rental Property Code for any Residential Rental Property to be in violation of any provision of the Property Maintenance Code and any provision of this Residential Rental Property Code.

2) In cases where strict compliance with the Property Maintenance Code is not possible or where there are practical difficulties that limit the Residential Rental Property's ability to comply strictly therewith, the Code Official shall have the authority with the approval of the City Manager and to grant alternate compliance, but only if:

- a) alternate compliance is possible;
- b) alternate compliance does not compromise or diminish life, health, safety, or fire safety requirements; and
- c) The details of any action granting alternate compliance shall be duly recorded by the Code Official and shall be maintained in their files.

SECTION 99.13: NOTICE OF VIOLATION.

Any Licensee of Residential Rental Property who, in the determination of the Code Official, violates any provision of this Residential Rental Property Code or the City Code shall be sent a Notice of Violation. The Notice of Violation shall be served on the Licensee or resident agent by hand-delivery, by electronic mail, or by first class mail addressed to the Licensee or any resident agent. The Notice of Violation shall state:

- 1) The condition that has caused the alleged Violation(s);
- 2) Whether the Code Official seeks:
 - a. remediation, and the time that remediation must be completed;
 - b. to place a Licensee on probation, or to extend a pre-existing probationary period, or
 - c. to revoke the Rental License.
- 3) That the Licensee has fourteen (14) days from the date of the Notice of Violation to appeal the Notice of Violation by filing with the Code Official a written Notice of Appeal in accordance with Section 99.14.

SECTION 99.14: APPEAL.

1) Any Person aggrieved by the action of the Code Official in issuing a Notice of Denial or Notice of Violation shall have the right to appeal that action to the Rental Code Board of Appeals. Such appeal shall be taken by filing with the Rental Code Board of Appeals a Notice of Appeal within fourteen (14) days of the date of the Notice of Denial or Notice of Violation. The Notice of Appeal shall be in writing

and shall set forth in sufficient detail why the Person believes that the Notice of Denial or Notice of Violation was issued in error or why the proposed penalty is excessive, inappropriate, or unreasonable. After the Notice of Appeal is filed, the Rental Code Board of Appeals shall set a time and place for a public hearing. Notice of Hearing shall be given to the appellant in the same manner as the Notice of Denial or Notice of Violation. To prevail on appeal, the appellant must prove that the Notice of Denial or Notice of Violation was issued in error. If the Rental Code Board of Appeals fails to take formal action at the public hearing, the Rental Code Board of Appeals shall, no later than thirty (30) days after the public hearing, issue its final order, which shall be transmitted to the appellant (Owner), or any Registered Agent, and to the Tenant in the same manner as the Notice of Denial or Notice of Violation.

2) There shall be a docketing fee, to be determined by council resolution, due and payable at the time that any Notice of Appeal is filed.

3) The filing of a timely Notice of Appeal under this Section, absent exigent circumstances, shall stay any administrative enforcement action under this Residential Rental Property Code until the Rental Code Board of Appeals has issued its final order.

4) The final order of the Rental Code Board of Appeals shall be the final decision of the City. Any Person aggrieved thereby shall have the right, in accordance with state law, to appeal that final order to the appropriate court of law.

SECTION 99.15: PROBATION.

The Code Official or, in the case of an appeal from a Notice of Violation, the Rental Code Board of Appeals, may place a Rental License on probation for violations of this Residential Rental Property Code. The purpose of probation is to provide the Licensee a reasonable time to remediate any condition or conditions that cause(s) a violation of this Residential Rental Property Code. Probation may be conditioned to include reasonable reporting requirements, a reasonable time period to remediate violations, or other reasonable requirements necessary to bring the Residential Rental Property into compliance with this Residential Rental Property Code. Failure to successfully complete any and all conditions of probation shall be grounds for revocation of the Rental License.

SECTION 99.16: REVOCATION.

The Code Official with the approval of the City Manager or, in the case of an appeal from a Notice of Violation, the Rental Code Board of Appeals, shall have the authority to revoke a Rental License for any violation of the Residential Rental Property Code. While revocation can occur for any violation, the severity of the alleged violation and all other relevant mitigating and aggravating circumstances, including, but not limited to whether or not the Licensee has had other revocations or convictions under this Residential Rental Property Code, will likely inform the decision. Any revocation shall be effective immediately, and no Rental License shall be issued for the Dwelling Unit until the Dwelling Unit is Re-inspected by the Code Official and all violations of this Residential Rental Property Code or City Code have been remediated.

SECTION 99.17: HABITUAL VIOLATORS.

Any Person or Owner who has had more than 3 revocations under this Residential Rental Property Code within 2 years shall be deemed a habitual violator and shall lose the privilege to operate any property within the City as Residential Rental Property for a period of 2 years following the most recent violation. All applications for a Residential Rental License or any renewal thereof submitted by a habitual violator shall be denied by the Code Official and the applicant shall be issued a Notice of Denial. The applicant

may appeal any such Notice of Denial in accordance with Section 99.14 of this Residential Rental Property Code.

SECTION 99.18: UNLAWFUL ACTS; CIVIL INFRACTION; INJUNCTION.

- 1) It shall be unlawful for any Person to offer for rent a Dwelling Unit, or any portion thereof, within the City without first obtaining from the City a Rental License as required by the Residential Rental Property Code.
- 2) It shall be unlawful for any Person to offer for rent a Dwelling Unit, or any portion thereof, within the City that is in violation of the Residential Rental Property Code or Property Maintenance Code.
- 3) A Violation of this Residential Rental Property Code is a municipal civil infraction and shall be subject to the provisions provided for in Section 10.99 and Chapter 131 of the City Code. Nothing in this Section shall be construed to limit the remedies available to the City in the event of a violation by a Licensee of this Residential Rental Property Code. In addition to any other remedy available at law, the City may bring an action for an injunction or other process against a person to restrain, prevent, or abate any violation of this Ordinance.

SECTION 99.19: OFFICIAL RECORDS.

A separate file for each Dwelling Unit licensed by the city, containing no less than a copy of the application for the Rental License, any license issued, inspection reports, code violation notices, site plans, floor plans, residential parking plans, the results of any actions taken regarding the license, and most recent renewal application, if any, and other appropriate records shall be kept for all Dwelling Units by the City and made available for inspection and copying through requests pursuant to Michigan's Freedom of Information Act. Any or all parts of this file may be stored on electronic medium.

SECTION 99.20: EXEMPTIONS.

The provisions of this Residential Rental Property Code shall not apply to the following:

- 1) Any member of a family may occupy a dwelling as long as any other member of that family is the Owner of that dwelling.
- 2) The sale of any one (1) or two (2) family dwelling intended for occupancy by the Owner or Owners of record which are to be occupied by the buyer or seller under a rental agreement for a period of less than ninety (90) days following the closing. The sale of any one (1) or two (2) family dwelling intended for occupancy under a lease with Option to Purchase Agreement, Life Estate Agreement, or any other form of conditional sale agreement, shall require a Rental Housing License if legal or equitable Ownership is not transferred in its entirety within ninety (90) days of execution of the conditional sales agreement.
- 3) Exchange student, visiting clergy, medical caregiver, child care: Additional occupancy by K-12 exchange students placed through a recognized education exchange student program, one visiting clergy or clerical aide to a local church or congregation, or one person to provide child care or medically prescribed care.
- 4) Occupancy by a Personal representative, trustee, or guardian of the estate and their family where the dwelling was Owner-occupied for the last year prior to the Owner's death, and the occupancy does not exceed two (2) years from the date of death of the Owner by notifying the Code Enforcement Officer of the Owner's name, date of death, and name of the Person occupying the Premises.

5) Campgrounds, dormitory housing, hotels, jails, or motels.

SECTION 99.21 DISCLAIMER OF LIABILITY

1) The inspection of the land use, exterior posture and interior accessories of the structure is limited to visual inspection only. A rental license is not a warranty or guarantee that there are no defects in the rental dwelling or unit and the city shall not be held responsible for defects in the rental property.

2) The city shall further not assume any liability to any person by reason of the inspections required by the subchapter or the code adopted herein or the issuance of a rental license.”

2. This ordinance shall take effect thirty (30) days after adoption pursuant to the City of Hancock Charter, Section 5.3(c).

PUBLICATION AND ADOPTION DATE

This Ordinance was introduced by the City Council of the City of Hancock, Houghton County, Michigan on the 29th day of September, 2020.

This Ordinance was adopted by the City Council of the City of Hancock, Houghton County, Michigan on the ____ day of _____, 2020.

Ashley Freeman, City Clerk

Paul LaBine, Mayor

CLERK’S CERTIFICATION

I, Ashley Freeman, Clerk of the City of Hancock, hereby certify that, pursuant to MCL 117.3(k), a summary of the above Ordinance was published in the Daily Mining Gazette, a newspaper having general circulation in the City of Hancock on the ____ day of _____.

Ashley Freeman, City Clerk

REPEALED OLD ORDINANCE IN ITS ENTIRETY

~~CHAPTER 99: RENTAL REGISTRATION~~

~~§ 99.01 INTENT AND PURPOSE.~~

~~—It is the intent to establish a rental registration procedure to monitor all rental dwelling units within the city so as to insure that adequate fire prevention in accordance with the BOCA National Property Maintenance Code and § 95.16 of this code and adequate parking in accordance with Section 1502 of the Zoning Code are provided.~~

~~(Ord. 211, passed 11-2-94)~~

~~§ 99.02 DEFINITIONS.~~

~~—For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~—DORMITORY. —A space in a building where group sleeping accommodations are provided in one room or in a series of closely associated rooms, for persons not members of the same family group.~~

~~—DWELLING UNIT. A single unit providing for complete independent living facilities for one or more person including permanent provisions for sleeping, eating, cooking and sanitation.~~

~~—HOTEL. Any building containing six or more guest rooms, intended or designed to be occupied, or which are rented or hired out to be occupied for sleeping purposes by guests.~~

~~—ONE FAMILY DWELLING. A building containing one dwelling unit with not more than three lodgers or boarders.~~

~~—ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one family dwelling or a two family dwelling a.k.a. a Bed and Breakfast.~~

~~—TWO FAMILY DWELLING. A building containing two dwelling units with not more than three lodgers or boarders per family.~~

~~—FAMILY. An individual or married couple and the children thereof with not more than two other persons related directly to the individual or married couple by blood or marriage; or a group of not more than three unrelated persons, living together as single housekeeping unit in a dwelling unit.~~

~~(Ord. 211, passed 11-2-94)~~

~~§ 99.03 REGISTRATION REQUIRED; DESIGNATION OF LOCAL AGENT.~~

~~—(A) All rental dwelling buildings shall be registered with the city. Every owner of a building within the city that has dwellings for rent shall provide all information required by this chapter to the Building Inspector in the manner set forth in this chapter.~~

~~—(B) If the owner does not wish to be contacted in regards to the property then he/she shall designate a local agent to act on behalf of the owner and for the operating and managing of such dwelling in compliance with the city building and maintenance codes adopted in §§ 150.02 and 152.01 of this code.~~

~~—(C) In cases where the building is owned by a corporation or other legal entity then the organization shall designate, in writing, a responsible party to furnish the required information.~~

~~(Ord. 211, passed 11-2-94)~~

~~§ 99.04 REGISTRATION FORM.~~

~~—Each owner or local agent of an owner of a rental dwelling unit shall provide the following information to the Building Inspector on a form provided by the city.~~

~~—(A) Dwelling unit information, including:~~

~~—(1) Street address of the rental building.~~

~~—(2) Total number of dwelling units in the building.~~

~~—(3) Total number of units in building for rent.~~

~~—(4) Brief description of type of units rented (e.g. rooming/dormitory type; private bath/full kitchen and the like)~~

~~—(5) Number of off street on site parking spaces provided for tenants.~~

~~—(Pursuant to Zoning Code, Section 1502)~~

~~—(6) Information indicating whether or not smoke detectors are in compliance with fire codes.~~

~~—(Pursuant to §§ 95.16, 150.02 and 150.32 of this code)~~

~~—(7) Information indicating whether or not fire escapes are established in accordance with the fire codes.~~

~~—(Pursuant to §§ 95.16, 150.02 and 150.32 of this code)~~

~~—(B) Owner or responsible local agent information, including:~~

~~—(1) Name of owner or responsible agent.~~

~~—(2) Address of where owner/agent will accept notices.~~

~~—(3) Phone number where owner/responsible agent will accept calls.~~

~~—(C) Each completed rental registration form must be signed by the owner/agent.~~

~~(Ord. 211, passed 11-2-94)~~

~~§ 99.05 INACCURATE OR INCOMPLETE INFORMATION.~~

~~—No owner shall provide inaccurate or incomplete information for their rental buildings.~~

~~(Ord. 211, passed 11-2-94)~~

~~§ 99.06 FEES.~~

~~—Every person filing a rental registration form shall pay a registration and processing fee equal to \$5 per building containing one to five units and \$1 per dwelling unit for buildings having greater than five units, except dwelling units under the direct control of the city Housing Commission.~~

~~(Ord. 211, passed 11-2-94)~~

~~§ 99.07 VIOLATIONS.~~

~~—(A) Failure of the owner to file a rental registration form as set forth in this chapter within 30 days of receiving a request to complete such form shall be considered a violation of this code.~~

~~—(B) Failure to keep rental registration information updated within 30 days of any changes shall be considered a violation of this code.~~

~~(Ord. 211, passed 11-2-94)~~

~~§ 99.99 PENALTY.~~

~~—Violation of this chapter shall be punishable by a fine of up to \$100 for each day during which the real property owner is in violation of this chapter.
(Ord. 211, passed 11-2-94)~~