

**CHARTER TOWNSHIP OF WEST BLOOMFIELD  
ORDINANCE NO. C-746B**

AN ORDINANCE TO AMEND CHAPTER 8 OF THE CODE OF ORDINANCES, BUILDING AND BUILDING REGULATIONS, ARTICLE XVII, RESIDENTIAL RENTAL DWELLING UNIT REGISTRATION, MAINTENANCE AND INSPECTION, SECTIONS 8-410 THROUGH 8-450.

**Section 1 of Ordinance**

Chapter 8, Building and Building Regulations, of Charter Township of West Bloomfield Code of Ordinances, Article XVII, Residential Rental Dwelling Unit Registration, Maintenance and Inspection, is hereby amended to read as follows:

**ARTICLE XVII.  
RESIDENTIAL RENTAL DWELLING UNIT REGISTRATION, MAINTENANCE AND  
INSPECTION**

**Section 8-410. Purpose.**

The purpose of this article is to help protect the health, safety and welfare of township residents and citizens to promote and maintain healthy, safe and sanitary conditions in all residential rental dwelling units located throughout the township, recognizing the importance of such to the persons who do or may reside therein. The township also recognizes a compelling interest in establishing standards for the maintenance of sanitary and safe residential rental dwelling units within the township which will provide for, enhance and promote the continued maintenance of healthy, safe, sanitary and quality living conditions for occupants and neighbors; the maintenance of property values of nearby properties; and the reduction and elimination of blight and other deleterious factors affecting neighborhoods and the quality of life within the township.

**Section 8-411. Scope.**

The provisions of this article shall apply to any dwelling unit or part thereof, which is occupied or offered for occupancy by persons other than the owner pursuant to any oral or written rental or lease agreement or arrangement.

**Section 8-412. Definitions.**

For purposes of this article, the following words and phrases have the meanings indicated:

*Building* means a structure with a roof supported by columns or walls to serve as a shelter or enclosure.

*Code Official* means a township building inspector, code enforcement officer, the Code Enforcement Department Director and other township employees designated and legally authorized by that director or township supervisor to administer and enforce this article.

*Certificate of compliance* means a certificate issued by the Code Enforcement Director which certifies compliance with this article and other applicable codes and township ordinances and indicates the date of such certification.

*Dwelling Unit* means a building or one or more rooms in a building or portion thereof that provides independent living areas and facilities for one or more persons. A dwelling unit includes individual apartments, rooms in boarding houses, detached and attached single-family dwellings, attached and detached condominium units and each dwelling in a two-family or multiple-family building.

*Inspection guidelines* means the guidelines to be used by the code official in conducting inspections under this article, setting forth the minimum requirements for residential rental units.

*Lease* means a written or oral agreement or arrangement for the use and occupancy of a residential rental unit by one or more persons that are not an owner.

*Multiple-family building* means a building containing more than one dwelling unit.

*Occupants* means tenants, lessees and/or persons residing in or occupying a residential rental unit.

*Owner* means any person or agent or other entity having a legal or equitable ownership interest in a residential rental unit.

*Rent or rented* means a lease whereby a person is to pay or provide monetary or other consideration to another person for the right or privilege to use and occupy a residential rental unit for any period of time.

*Residential rental unit* means any dwelling unit that is rented or available for rent. This definition does not include structures licensed and inspected by the state.

*Structure* means anything constructed or erected the use of which requires location on or attachment to the ground and includes buildings.

*Tenant* means a person who rents a residential rental unit.

**Section 8-413. Registration required.**

Owners shall register residential rental units with the Code Enforcement Department as provided in this section before they are rented, offered for rent or occupied by a person other than an owner.

- (a) Registration shall be on a form provided by the Code Enforcement Department. Required information shall include the name, address and telephone number of the owner and any managing agent. For each individual owner and agent, a driver's

license number or a State of Michigan Identification number must be provided. The form must be signed by all owners and any agents.

- (b) All changes in the required information must be provided to the Code Enforcement Department in writing within 30 days of the change.
- (c) If an owner is a business entity other than an individual, the names, addresses and telephone numbers of corporation officers, partners, members and managers as applicable to the form of organization shall be listed. If such business entity has no substantial assets other than the dwelling unit to be registered and is controlled in whole or in part by one or more other business entities, then the name, address and telephone numbers of those entities and their officers, partners, members and managers shall be listed.

**Section 8-414. Certificate of compliance required.**

Persons shall not occupy, and owners shall not rent or allow occupancy, of a residential rental unit unless a certificate of compliance has been applied for and issued for the unit.

**Section 8-415. Issuance of certificate of compliance.**

A certificate of compliance shall be issued for a residential rental unit only after:

- (a) Unless exempt as provided in section 8-425, an inspection of the unit and the premises upon which it is located by the code official verifies that no violations of the inspection guidelines described in section 8-420 and the ordinances and codes upon which they are based.
- (b) All registration, inspection and other fees have been paid and the unit has been registered and all registration information is current as provided in section 8-413.

**Section 8-416. Term and revocation of certificate of compliance.**

Unless revoked, a certificate of compliance shall be valid for a period of three (3) years from the date of application and until the next code official inspection and issuance of a new certificate of compliance at which time the preceding certificate expires. The code official may revoke a certificate of compliance if an inspection reveals violations of this article.

**Section 8-417. Temporary certificate of compliance.**

The code official is authorized to issue a temporary certificate of compliance for any portion of any residential rental unit that can be occupied safely, provided that all fees have been paid and current registration information has been provided. The temporary certificate shall identify any remaining violations and include the time periods for correction and during which it is valid. A

failure to correct a violation within the time specified shall result in revocation of the temporary certificate, an order for the unit to be vacated, and shall constitute a violation of this article.

**Section 8-418. Inspection frequency.**

- (a) The frequency of regular residential rental unit inspections under this article shall be every three (3) years.
- (b) Vacant residential rental units may be inspected every 90 days in order to verify maintenance in compliance with this article.
- (c) Residential rental units may be inspected any time there is a complaint or other indication of a violation of this article.

**Section 8-419. Inspection procedures.**

- (a) The Code Enforcement Department shall schedule and mail the registered owner or agent a notice of the date and time for all inspections and the fees that must be paid before the inspection.
- (b) A registered owner or agent may provide written notice to the Code Enforcement Department of dates and times that inspections are requested to be or not be scheduled.
- (c) An inspection may be rescheduled for just cause. Once a date and time for inspection is scheduled, the owner or agent shall:
  - (1) Notify each tenant of the date and time when the inspection is scheduled to occur, and regardless of whether the owner has a right to enter the residential rental unit under the lease with the tenant, request and obtain tenant permission for such entry. This notice shall be delivered by mail and posting at an entry door of the residential rental unit at least 21 calendar days prior to the date of the scheduled inspection.
  - (2) Notify each tenant or occupant that the owner or agent is required to accompany the inspector during the performance of all inspections and in the event that the tenant or occupant is not present, the owner/agent must provide access to the inspector by unlocking the dwelling unit's door, verifying that no occupant is present and securing the unit after the inspection is completed.

- (3) On the date and time for inspection, provide the code official with access to the residential rental unit if the owner's lease with the tenant provides the owner with a right of entry.

**Sec. 8-420. Inspection and maintenance guidelines.**

- (a) The department head overseeing the code enforcement division shall prepare and maintain a list of inspection guidelines to be used in making inspections relating to the enforcement of this article. The inspection guidelines shall be based on this article and applicable code and ordinance requirements and set forth the requirements and conditions and scope of repairs necessary for obtaining the issuance of a certificate of compliance.
- (b) Residential rental units and the premises upon which they are located shall be maintained in a manner consistent with the criteria set forth in the most recent edition of the International Property Maintenance Code, as adopted and amended from time to time in article VII of chapter 8 of this code.
- (c) Regular inspections under this article shall be of the exterior of the residential rental unit, any multi-family building it is in or a part of and the premises upon which it is located. The interior of residential rental units shall only be subject to regular inspections under this article if one or more of the following conditions have been reported to the township or been identified by an exterior inspection as possibly existing:
  - (1) The residential rental unit is, or is in or part of, a structure that is unsafe, unfit for human occupancy, unlawful, dangerous or that includes unsafe equipment, as defined and regulated under the Property Maintenance Code administered and enforced under article VII of chapter 8 of this code.
  - (2) The residential rental unit is, or is in or part of, a dangerous or unsafe building as defined in article IX of chapter 8 of this code.
  - (3) A violation of any maintenance standard in the Property Maintenance Ordinance in article XIV of chapter 8 of this code that may allow rain, moisture, surface or roof drainage or animals to enter the interior walls, structure or living space of the residential rental unit or structure it is in or part of.
  - (4) The residential rental unit is, or is in or part of, a structure that includes an unsafe condition as defined in the Fire Prevention Code administered and enforced under article III of chapter 11 of this code.
  - (5) Multiple or recurring violations of the inspection and maintenance guidelines under this article.

**Section 8-421. Transfer and termination of certificates of compliance.**

- (a) The Code Enforcement Department shall transfer a certificate of compliance to a new owner when the new owner supplies the registration information required by section 8-413.
- (b) Upon receipt of a written notice and documentation of a sale or transfer of a residential rental unit to a new owner that will occupy the entire unit with no portions rented, the Code Enforcement Department shall terminate any certificate of compliance and remove the unit from the residential rental unit registry.

**Section 8-422. Fees.**

The owner of the property shall be responsible for payment of the registration, inspection and other fees involved in the administration and enforcement of this article, which shall be established by resolution by the Township Board of Trustees and be on file at offices of the clerk and Code Enforcement Department.

**Section 8-423. Collection of fees.**

- (a) All required fees shall be paid before commencement of scheduled inspections.
- (b) If for any reason, fees that due and payable under this article are not paid, a statement of the fees shall be mailed to the owner. Any such unpaid fees shall become a lien on the property, and if not paid within 30 days of the mailing, may be added to the tax rolls for collection in the same manner and subject to the same interest and penalties applicable to delinquent special assessments.

**Section 8-424. Violation and Penalty.**

- (a) A violation of this article is a municipal civil infraction, subjecting persons found responsible for violations to the fines in subsection (b) plus costs and to the sanctions, remedies and procedures as set forth in section 1-10(b) of this code, with the provision that each day is a separate offense specifically applicable to all violations of this article.
- (b) The fine for a first offense of failure to obtain an inspection, failure to file the required registration or failure to maintain the registration containing current information shall be one hundred dollars (\$100.00). The fine for all other violations shall be in an amount not to exceed five hundred dollars (\$500.00).

**Section 8-425. Exemptions.**

- (a) Newly constructed multiple-family buildings shall be considered as registered for purposes of this article upon the issuance of a full certificate of occupancy for the building and shall be exempt from the regular inspections described in section 8-418(a) for a period of six (6) years from the date that certificate is issued.
- (b) Newly constructed single-family detached residential rental unit buildings that are registered as required in this article shall be exempt from the regular inspections described in section 8-418(a) that would otherwise be required, during the six (6) year period after the issuance of the full certificate of occupancy for that building.
- (c) Multiple-family buildings that are inspected by the U. S. Department of Housing and Urban Development under the real estate assessment center inspection process, or by other government agencies, shall be exempted from the code official inspection required by section 8-415 and regular inspections required by section 8-418 upon a copy of the written inspection report being filed with the Code Enforcement Department and a code official determination that the filed report confirms compliance with the inspection guidelines under this article.
- (d) Multiple-family buildings used exclusively for elderly housing provided by a lawfully recognized and documented charitable, non-profit organization, may be exempted from the code official inspection required by section 8-415 and regular inspections required by section 8-418 by filing an application, written disclosure and agreement with the Code Enforcement Department of the scope, frequency and inspection agency that performs regular inspections of the building and to have that inspection agency provide copies of all such reports to the Code Enforcement Department. The Code Enforcement Director shall grant the exemption request if the scope and frequency of inspections is not in conflict with this article and the inspection agency is approved under the guidelines on such approval provided by the Building and Property Maintenance Codes administered and enforced under chapter 8 of this code. Notice of the decision on an exemption application shall be given to the applicant in writing and shall include the reasons for any denial. An exemption under this subsection may be revoked by written notice if the approved inspection agency does not provide a copy of an inspection report to the Code Enforcement Department, or if such a report that is provided conflicts with or does not adequately confirm substantial compliance with the inspection guidelines under this article.

**Section 2 of Ordinance**

All ordinances or part of ordinance in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

**Section 3 of Ordinance**

Should and section, subdivision, clause or phrase of this ordinance be declared by the court to be invalid, same shall not affect the validity of the ordinance as a whole or any part thereof, other than the parts invalidated.

**Section 4 of Ordinance**

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced.

**Section 5 of Ordinance**

The provisions of this ordinance are hereby order to take effect immediately upon publication.

**CERTIFICATION**

STATE OF MICHIGAN     )  
  ) SS.  
COUNTY OF OAKLAND    )

I, Deborah Binder, the duly elected Clerk for the Charter Township of West Bloomfield, Oakland County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Ordinance adopted by the Township Board for the Charter Township of West Bloomfield at a meeting held on the 24 day of February, 2020, the original of which is on file in the Office of the Township Clerk.

I affix my official signature/seal this 24 day of February, 2020.

By: Deborah Binder  
Deborah Binder, Clerk

INTRODUCED: 01-27-2020  
ADOPTED: 02-24-2020  
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