

DELHI CHARTER TOWNSHIP  
INGHAM COUNTY, MICHIGAN

PROPOSED TOWNSHIP ORDINANCE NO. 102.6

PREAMBLE

AN ORDINANCE TO AMEND CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF DELHI BY AMENDING (PURSUANT TO SECTION 23 OF PA 1947, NO 359) THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 EDITION PUBLISHED BY THE INTERNATIONAL CODE COUNCIL AS A PROPERTY MAINTENANCE CODE FOR THE CHARTER TOWNSHIP OF DELHI REGULATING AND PROVIDING MINIMUM STANDARDS WITH REFERENCE TO SPACE AND OCCUPANCY, STRUCTURAL, ELECTRICAL, MECHANICAL AND PLUMBING REQUIREMENTS, FIRE SAFETY AND EXITING REQUIREMENTS, PROVIDING FOR DEFINITIONS AND PROVISIONS WITH REFERENCE TO ENFORCEMENT OF SAID ORDINANCE, NOTICES, APPEALS AND PENALTIES FOR VIOLATIONS THEREOF AND TO REGULATE THE REGISTRATION OF RESIDENTIAL RENTAL PROPERTY; TO PROVIDE FOR THE INSPECTION OF RESIDENTIAL RENTAL PROPERTY; AND TO PROVIDE DEFINITIONS AND PROVISIONS WITH REFERENCE TO ENFORCEMENT OF SAID PROVISIONS AND TO AMEND SECTION 3-90.6 AND IN PARTICULAR SUBSECTION (b) THEREOF RELATING TO RENTAL UNIT INSPECTIONS AND TO AMEND SECTION 3-90.8 AND IN PARTICULAR SUBSECTION (b) RELATING TO REINSPECTIONS AND FEES AND TO AMEND SECTION 3-90.12 AND IN PARTICULAR SUBSECTION (b) THEREOF RELATING TO FEES.

THE CHARTER TOWNSHIP OF DELHI ORDAINS:

**SECTION 1: AMENDMENT OF SECTION 3-90.6 "INSPECTIONS".**

3-90.6 Inspections:

(a) Scheduling of Inspections

The owner shall be notified of the date and time of a rental inspection via first class mail at least thirty (30) days prior to the inspection date. Owners shall be required to provide all notices of inspection to the tenants as required by law. A list of inspection guidelines, prepared by the Department of Community Development, shall be given to all owners at the time of rental unit registration. However, it is the owner's sole responsibility to be informed of the applicable codes.

(b) Rental Unit Inspections

An Authorized Township Official may inspect rental properties at least one (1) time every two (2) years. However, this section shall not create an obligation for the Township to inspect the subject property. Newly registered rental properties will require an inspection be

conducted to ensure compliance with the applicable codes and standards set forth for habitable dwellings within thirty (30) days of registration.

(c) Probable Cause Inspections

Any rental property, even though not previously scheduled for inspection, may be inspected without prior notice if an Authorized Township Official has probable cause to believe that there exists in any rental property any condition which makes such rental property or any portion thereof substandard or unsafe, or there is evidence that a violation of the code(s) may exist.

(d) Court Orders

If access to a structure, premises or area for the purpose of inspection authorized by this Section is refused, the Authorized Township Official, upon showing that probable cause exists for the inspection and for the issuance of an order directing compliance with the inspection requirements of this ordinance with respect to such dwelling or dwelling unit, may petition and obtain an order authorizing such inspection from a court which has jurisdiction.

(e) Inspections in General

Rental property may only be inspected upon prior notice to the owner, except probable cause inspections, upon presentation of proper identification by an Authorized Township Official. It shall be the rental property owner's responsibility to coordinate access to all areas of their rental unit(s).

(f) Owner Inspections

Rental property owners shall conduct their own property inspections at a minimum of every six (6) months and shall ensure compliance will all applicable codes and ordinances at all times.

**SECTION 2: AMENDMENT OF SECTION 3-90.8 "VIOLATIONS, NOTICES & INSPECTIONS".**

3-90.8 Violations, Notices & Inspections

(a) Violations Not Imminently Dangerous

Upon inspection by an Authorized Township Official, if a violation of the code(s) is discovered, but the violation is deemed by the Official not to be imminently dangerous to health, welfare or safety, a violation notice shall be issued to the owner in accordance with applicable codes and ordinances. The owner shall be advised in writing of the time period to correct the violation.

(b) Reinspection & Fees

Reinspection of a property shall occur on the date specified on the violation notice, or sooner if requested by the owner and when Township scheduling permits such inspection. It shall be the rental property owner's responsibility to coordinate the access to all areas of their rental unit(s). A fee, as published by the Delhi Charter Township Board, shall be charged for each reinspection.

(c) Schedules

Time schedules for the correction of violations shall be as determined by the Authorized Township Official. However, the violation correction period shall not exceed sixty (60) calendar days.

(d) Extensions

Upon written application from the person required to conform to any corrective order; upon agreement by such person that he/she will comply with the order without exception if allowed additional time; and if upon determination that such a time extension will not create or perpetuate a situation imminently dangerous to the public's health, welfare or safety; the Code Official may grant an initial time extension when compliance cannot be achieved within the initial sixty (60) calendar days due to a) impractical weather conditions, b) due to delays in obtaining supplies, materials or services beyond the owner's control that can be documented to the Code Official's satisfaction or, c) an unoccupied unit which is under renovation.

**SECTION 3: AMENDMENT OF SECTION 3-90.12 "MISCELLANEOUS PROVISIONS".**

3-90.12 Miscellaneous Provisions

(a) Building and Trade Permits

Rental Property owners shall procure the appropriate building, mechanical, plumbing, and/or electrical permits from the Department of Community Development for all corrections requiring such permits. Those violations discovered which require such permits will require a reinspection by a licensed and certified Delhi Township building or trade inspector.

(b) Fees

Rental property owners shall be required to pay a fee for registration and for any inspection required after the initial inspection. Rental property owners who are registering a property that has not been previously registered under the provisions of this Ordinance will, in addition to the registration fee established, pay a one (1) time registration origination fee. If an owner or his/her agent fails to coordinate access to a rental property for any inspection or reinspection which has been scheduled in accordance with Section 3-90.6 & Section 3-

90.8, the rental property owner may be subject to a reinspection fee. The Township Board shall determine the amount charged and type of fees as needed by Resolution and those fees may be adjusted from time to time. Registration fees shall be paid at the time of registration. Reinspection fees shall be paid within seven (7) days after the date which said inspection was scheduled. Unpaid fees shall be assessed against the lands on which the rental property exists on the next general assessment roll of the Township, and shall be collected in the same manner as other taxes are collected. If any registered owner or registered agent fails to pay any fees required by this Code, an administrative service fee as established by Board resolution shall be assessed.

(c) Notices & Orders

All notices and orders of the Department of Community Development shall be in accordance with Section 107 of the International Property Maintenance Code.

(d) Code Changes

Within thirty (30) days after the adoption, amendment or repeal of any individual section or the entire property maintenance code, the Township shall notify all registered rental property owners in writing of said changes. Any repairs, alterations or additions required by said ordinance shall be completed within sixty (60) days after said notice is issued.

**SECTION 4: EFFECTIVE DATE.**

This ordinance shall become effective immediately upon passage and publication as provided by law.