

**VALLEY TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**RENTAL PROPERTY ORDINANCE**

**ORDINANCE NO. 230**

**ADOPTED: August 10, 2004**

**EFFECTIVE: September 20, 2004**

An ordinance to secure the public peace, health, safety and welfare of Valley Township residents who live in residential property owned by others, to regulate the condition of rental dwellings; to require certain reasonable maintenance practices concerning the same; to provide for the registration of rental dwellings; to provide for periodic inspections to ascertain compliance with the within Ordinance; to provide civil sanctions and remedies for the violation of this Ordinance; and to repeal any Ordinance or parts of Ordinance in conflict herewith.

**VALLEY TOWNSHIP  
ALLEGAN COUNTY, MICHIGAN**

**ORDAINS**

**SECTION I**

**ARTICLE I B TITLE**

Section 1. This Ordinance shall be known and cited as the Valley Township Rental Property Ordinance.

**SECTION II**

**ARTICLE II - DEFINITIONS AND REGISTRATION**

Section 2. As used in this Ordinance, the term rental property means any building or structure used as a residential building housing one or more human beings (also known as 'tenants') for which the owner (also known as 'Landlord') is being paid, either in cash, by check, or by in-kind contributions or by trade. Such buildings or structures must, in order to qualify for rental usage, comply with the following:

- A. No dwelling shall be leased or occupied for rental purposes unless it is first registered with the Township. Any dwellings which are already leased or occupied for rental purposes on the effective date of this amendment must be registered with the Township within thirty (30) days of said effective date. Occupancy of any dwelling by anyone other than the owner of record shall be presumed to require registration.
- B. Applications for Rental Registration shall be submitted to the Township. The Rental Registration Application shall be made on forms provided by the Township.
- C. The Township, within fifteen (15) days of receipt, shall notify the applicant of any deficiencies of the Application which prevent its acceptance. An Application is not considered accepted until the Township provides a written acknowledgment of receipt of a complete Application. Upon such written acknowledgment the dwelling shall be considered Registered.
- D. Rental Registration does not constitute approval of the dwelling or any specific uses and such dwelling and uses remain subject to the requirements of all Township Ordinances.
- E. All Rental Registrations shall expire on June 1, 2005, and every two years thereafter. A Rental Registration Renewal Application shall be submitted to the Administrator prior to expiration. Additionally, upon transfer of ownership of a rental dwelling any existing Registration shall expire and the new owner shall immediately submit to the Township an Application for Rental Registration.

### **SECTION III**

#### **ARTICLE III<sub>B</sub> REGULATIONS**

Section 3. It shall hereafter be unlawful for any owner of a rental dwelling regardless of the nature of the ownership thereof to lease or rent the same during any period that it fails to meet the following minimum standards:

- A. Fails to meet the minimum requirements of the Township Building Code to the extent the code is applicable thereto.
- B. Constitutes a dilapidated, unsafe or dangerous building.

- C. Does not contain a roof, walls, windows and doors which are substantially leak and weather proof so as to prevent material heat loss and drafts and interior abnormal moisture.
- D. The rental unit is furnished with an operable and safe furnace or heating system adequate to maintain the premises at a temperature of not less than 68 degrees during sub-zero weather conditions.
- E. The premises is supplied with plumbing and sanitary sewage systems in proper working condition and without consequent pollution or contamination. All electrical systems and wiring are in proper working order and adequate for the electricity service expected therefrom.
- F. The premises, including the exterior grounds, are maintained in a neat and orderly manner without unreasonable accumulations of junk and debris or uncontrolled growth and without unsightly peeling or flaking of paint or deterioration thereof.
- G. Exterior glass is maintained intact without being open to the elements or in a state of disrepair.
- H. An adequate sanitary supply of water is available within the buildings upon the premises free of any contamination or pollution.
- I. Any separate dwelling unit in a basement or above the first floor level of the building must be provided with two separate convenient means of ingress and egress usable by the occupants thereof.
- J. An adequate supply of hot, potable water shall be available within the interior of the premises for the convenient and safe use of all the occupants thereof.
- K. The entire premises shall be free of any hazardous or unsafe condition caused by any structural failure, deterioration or disrepair, unguarded openings or unhealthful or unsanitary activities or circumstances which would be injurious to the occupants thereof or to any other persons or property in and about the premises.

#### **SECTION IV**

#### **ARTICLE IV<sub>B</sub> REGULATIONS, TENANTS**

Section 4. It shall hereafter be unlawful for any tenant of any dwelling regardless of the terms and conditions of any lease or rental agreement to the contrary to engage in any unusual, abnormal, hazardous, malicious or neglectful

activity within or upon the premises let which would cause the same to be unrentable under the provisions of Section 3 hereof or a general nuisance in the neighborhood within which the same is located under Michigan law.

## **SECTION V**

### **INSPECTIONS**

Section 5. The building official of the Township and such other official as may be designated by the Township Board shall be authorized to inspect all rental premises at periodic intervals during reasonable daylight hours to ascertain compliance with Township Ordinances upon reasonable prior notice to the owner or tenant of the premises to be inspected.

## **SECTION VI**

### **APPEAL TO THE BUILDING BOARD OF APPEALS**

Section 6. Any property owner or tenant aggrieved by a decision or order of the appropriate Township official regarding Section 3 or Section 4 herein shall have the right to appeal such decision to the Township Building Board of Appeals. Such appeal shall be filed within ten (10) days after receipt of notice of violation from the Township official, in writing, at the Township Hall. Any such appeal shall temporarily stay the effect of the notice of violation until said appeal has been determined by said Board of Appeals. Said Board of Appeals shall have the right to affirm, reverse or modify the requirements of said violation of notice.

## **SECTION VII**

### **ARTICLE VI - SANCTIONS**

Section 7. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions or requirements of this ordinance or who falsifies or violates any of the representations set forth in the rental registration form submitted to the Township administrator to secure the registration of the described rental property with the Township shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute which shall be punishable by a civil fine determined in accordance with the following schedule. Anyone can report violations of this Ordinance to the Valley Township Office as soon as they occur. If a violation occurs on a weekend or holiday, such reports are to be made on the next-following standard workday.

Municipal Civil Infraction. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

|                                  | Minimum<br>Fine | Maximum<br>Fine |
|----------------------------------|-----------------|-----------------|
| -1 <sup>st</sup> Offense         | \$ 75.00        | \$500.00        |
| -2 <sup>nd</sup> Offense         | 150.00          | 500.00          |
| -3 <sup>rd</sup> Offense         | 325.00          | 500.00          |
| -4 <sup>th</sup> or More Offense | 500.00          | 500.00          |

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which the Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500 be ordered. In addition, the Township shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation exists shall constitute a separate offense.

### **SECTION VIII**

#### **VALIDITY**

Section 8. The provisions of this Ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by any Court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

### **SECTION IX**

#### **EFFECTIVE DATE**

Section 9. This ordinance amendment shall take effect thirty days after the date of its publication following its adoption by the Valley Township Board. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

VALLEY TOWNSHIP  
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