

VALLEY TOWNSHIP

ORDINANCE NO. 255

ADOPTED: AUGUST 9, 2016

EFFECTIVE: SEPTEMBER 17, 2016

RENTAL PROPERTY ORDINANCE

PURPOSE

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 1.
TITLE**

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

**Section 2.
DEFINITIONS AND REGISTRATION**

As used in this Ordinance, the term "rental property" means any building or structure used as a residential building (excluding motels and hotels) housing one or more human beings (also known as 'tenants') for which the owner (also known as 'Landlord' or Taxpayer) 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 on forms provided by the Township.
- C. The Township, within fifteen (15) days of receipt, shall notify the applicant of any deficiencies preventing acceptance of the Application. An Application is not considered accepted until the township provides a written acknowledgment of receipt of a complete Application and any needed inspections have been completed. 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. Rental Registration fee is for three years. A Rental Registration Renewal Application shall be submitted to the Township each year prior to expiration. 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 3. REGULATIONS

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 standards of the current International Property Maintenance Code.

Section 4. INSPECTIONS

Periodic inspections of rental properties will occur during reasonable daylight hours to ascertain compliance with Township Ordinances. Every effort will be made to ensure reasonable prior notice is given to the owner and/or tenant of the premises to be inspected. Inspections will be carried out by the Township Zoning Administrator. Property owners will be notified in writing of violations and the time period to meet compliance.

Section 5. APPEAL TO THE TOWNSHIP BOARD

Any property owner or tenant aggrieved by a decision or order of the appropriate Township official regarding Section 3 shall have the right to appeal such decision to the Township Board. Such appeal shall be filed in writing within ten (10) days after receipt of notice of violation from the Township official. Any such appeal shall temporarily stay the effect of the

notice of violation until the appeal has been determined by the Township Board. The Township Board shall have the right to affirm, reverse or modify the requirements of the violation of notice.

**Section 6.
SANCTIONS**

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 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.

Civil Fines for Infraction of Valley Township Rental Property Ordinance

Minimum	Maximum Fine	Fine	
	-1st Offense	\$100.00	\$500.00
	-2nd Offense	\$150.00	\$500.00
	-3rd Offense	\$325.00	\$500.00
	-4th or More Offense	\$500.00	\$500.00

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 attached schedule. 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 administrative costs or service fees 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 7.
SEVERABILITY**

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.