ORDINANCE NO. 7-400

RENTAL REGISTRATION

THE CITY OF ISHPEMING ORDAINS:

Section 1. Definitions.

The following words, terms and phrases when used in this Ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

(a) "Code Enforcement Officer" means the person appointed to that position by the Ishpeming City Manager.

(b) "Local agent" means an individual or company representing the owner and having a place of residence or business within Marquette County. The local agent is responsible for the operation of the owner's residential rental dwelling unit(s) located within the City of Ishpeming. A local agent is required if:

(1) The owner resides outside of Marquette County, Michigan; or

(2) The owner is absent from Marquette County, Michigan

(c) "Owner" means the individual(s), company, corporation, governmental or private agency, or any other entity listed on the recorded deed, or the purchaser under a recorded land contract, or a person otherwise legally responsible for, real property containing one or more residential rental dwelling unit(s).

(d) "Residential rental dwelling unit" means a distinct individual living quarters within a building used for occupancy by a person or persons other than the owner or the immediate family of the owner. Single-family residences, condominiums, duplexes, apartments and rooming houses may all contain and be classified as residential rental dwelling units.

(e) "Immediate family of the owner" shall mean only mother, father, brother, sister, or child of an owner. Proof of the family relationship shall be provided to the Code Enforcement Officer at the time of seeking an exemption.

Section 2. Initial Registration of Residential Rental Dwelling Units.

(a) Within thirty (30) days of the effective date of this Ordinance, the City shall publish three times in a newspaper of general circulation within the City a notice summarizing the registration requirements of this section. The City shall also mail a copy of said notice by first class mail to the owner of record of each property listed in the assessment rolls of the City on the effective date of this ordinance as residential property which does not qualify for a 100% homestead property tax exemption.

(b) Within ninety (90) days after the effective date of this Ordinance, the owner of every building containing a residential rental dwelling unit within the corporate limits of the City of Ishpeming shall register each such building with the Code Enforcement Officer by filing with the Code Enforcement Officer a registration form provided by the City. If the owner owns more than one (1) building containing one or more residential rental dwelling units, a separate registration form shall be filed for each separate building.

Section 3. Registration Information to be Contained in Registration Form.

The following information shall be provided on the registration form by the owner:

(1) Owner's name, home address, day and evening telephone numbers and email address;

(2) Local agent's name, home address, day and evening telephone numbers and email address;

(3) Address of the building containing one or more residential rental dwelling unit(s) (includes multi-unit building in which the owner lives);

(4) The number and identifying address of each residential rental dwelling unit in a building containing more than one dwelling unit;

(5) Whether the unit is being used for rentals of periods of less than thirty (30) days;

(6) Signature of owner attesting to the truthfulness of the information provided. If the owner is a company, corporation, governmental or private agency, or any other entity, only a duly authorized officer or administrator may sign the registration form.

Section 4. Issuance of Certificate of Registration.

(a) The Code Enforcement Officer shall examine each registration form for completeness and, if complete, shall issue a Certificate of Registration for each residential rental dwelling unit in the building identified in the registration form. The Certificate of Registration shall be mailed to the owner by the Code Enforcement Officer or his/her designee. If the registration form is incomplete, the Code Enforcement Officer shall make not more than two (2) attempts to contact the owner (by telephone, mail, or in person) to have the owner properly complete the registration form.

(b) Failure of the Owner to file a complete registration form with the Code Enforcement Officer within the time limits prescribed in this Ordinance shall constitute a violation of this Ordinance.

Section 5. Follow-up Registration.

After the initial ninety (90) day registration period set forth in Section 2(b) of this Ordinance, residential rental dwelling units shall be registered as follows:

(1) Newly constructed residential rental dwelling buildings or units shall be registered prior to the issuance of a final certificate of occupancy.

(2) A residential rental dwelling/building/unit sold, transferred or conveyed shall be re-registered by the new owner within 30 days of the date of the deed, land contract, or other instrument of conveyance. At that time the units will be removed from the previous owner's registration.

(3) Any non-rental residential dwelling unit converted to a residential rental dwelling unit shall be registered prior to the date it is occupied for rental purposes.

Section 6. Changes in Registration Information.

If any information on a registration form changes after issuance of a Certificate of Registration, it shall be the responsibility of the owner or the owner's local agent to notify the Code Enforcement Officer within ten (10) days of the date of the change and to provide correct or updated information in writing to the Code Enforcement Officer within said ten (10) day period.

Section 7. Fees; Late Fees.

There shall be no fee for the registration, re-registration, or updating of registration information within the allotted time periods. If a residential rental dwelling unit is not registered within the allotted time periods specified herein, then a late fee of $50.00 per rental dwelling unit shall be paid by the owner. This late registration fee, however, shall not become effective until ninety (90) days after the effective date of this Ordinance.

Section 8. Maintenance of Records.

The Code Enforcement Officer shall be responsible for maintaining and updating all residential rental dwelling unit registration forms and Certificates of Registration, and for providing a semi-annual

report to the City Manager and City Council of the number of residential rental dwelling units in the City. The semi-annual report shall also identify the residential rental dwelling units by type (single family, duplex, multi-unit, apartment houses, rooming houses, short term, etc.) and the number and type of units added to or deleted from the registration roster since the last semi-annual report.

Section 9. Penalty for Failure to Comply.

Failure to comply with any provision in this Ordinance, or the submission of false information on a residential rental dwelling unit registration form, shall constitute a municipal civil infraction and shall be considered to be a public nuisance, which shall subject any person found to be responsible to a fine of up to Five Hundred dollars ($500.00), in addition to any other enforcement provided by law. Violations may also be enjoined pursuant to Michigan law.

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