

ORDINANCE NO. 7-400

AN ORDINANCE REGULATING THE REGISTRATION OF
RESIDENTIAL RENTAL DWELLING UNITS

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 resides outside of Marquette County, Michigan, for more than 90 days each calendar year.
- (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, and shown as the owner of 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, and for which rent or a remuneration of any kind is paid or benefit conferred to 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 fax number;
- (2) Local agent's (if applicable) name, home address, day and evening telephone numbers, and fax number;
- (3) Address of the building owned (fee simple or land contract) by the owner 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) 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, 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 shall constitute a misdemeanor, which upon conviction thereof, shall subject the violator to a fine of up to \$500.00 or imprisonment in the Marquette County Jail for a period not to exceed 90 days for each offense, or both such fine and imprisonment in the discretion of the Court, together with the costs of such prosecution.

The submission of false information on a residential rental dwelling unit registration form shall constitute a misdemeanor, which upon conviction thereof, shall subject the violator to a fine of up to \$500.00 or imprisonment in the Marquette County Jail for a period not to exceed 90 days for each offense, or both such fine and imprisonment in the discretion of the court, together with the costs of such prosecution.

Adopted: June 6, 2007
Amended: April 8, 2015

CITY OF ISHPEMING

REGISTRATION FORM FOR RESIDENTIAL RENTAL DWELLING UNIT(S)

In accordance with City of Ishpeming Ordinance No. 7-400, all owners of residential rental dwelling units located within the City of Ishpeming are required to file a completed registration form. Complete all applicable information and return to the City of Ishpeming Code Enforcement Officer, City Hall. Please type or print clearly, in ink. Questions may be addressed to the Ishpeming Code Enforcement Officer at (906) 485-1091, Extension _____.

A. **Owner(s)**

Name(s) _____

Home Mailing Address: _____

Phone Number (Day) _____ (Evening) _____

Fax Number _____ E-Mail (Optional) _____

B. **Local Agent:**

Name: _____

Home Mailing Address: _____

Phone Number (Day) _____ (Evening) _____

Fax Number: _____ E-Mail (Optional) _____

C. **Property Information**

For each residential rental property owned in fee simple or under a land contract (including a multi-unit building in which the owner lives) provide the property address, the number of residential rental dwelling units in the building and individual unit addresses if applicable. Attach additional sheets if necessary.

<u>Building Address</u>	<u>No. of Units</u>	<u>Address of Each Unit</u>
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby swear or affirm that the above-stated information is true to the best of my knowledge. I understand that failure to register any residential rental dwelling units owned by the undersigned within the City of Ishpeming or the submission of false information on this form may result in a fine or imprisonment or both in accordance with the provisions of Ishpeming City Ordinance No. 7-400.

Owner's Signature

Date

Title (if applicable)

Company Name (if applicable)

Note: A separate form must be filled out for each separate building that contains one or more residential rental dwelling units.

**General Information Regarding Ishpeming City Ordinance No. 7-400
Requiring the Registration of Residential Rental Dwelling Units**

DEFINITIONS

- A. **Owner.** The individual(s), company, corporation, governmental or private agency or other entity listed on the recorded deed or purchaser under a recorded Land Contract as the owner of a property containing residential rental dwelling unit(s).
- B. **Local Agent:** 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, or
 2. the owner resides outside Marquette County for more than ninety (90) days each calendar year.
- C. **Residential Rental Dwelling Unit.** Distinct individual living quarters within a building intended for occupancy by a person or persons other than the owner and the family of the owner, and for which rent or a remuneration of any kind is paid. Single-family residences, condominiums, duplexes, apartments, and rooming houses may all contain and be classified as residential rental dwelling units.

INITIAL REGISTRATION

Within ninety (90) days of the effective date of this Ordinance, all buildings containing residential rental dwelling units within the corporate limits of the City of Ishpeming shall be registered with the Code Enforcement Officer on a form provided by the City. Units must be registered by the owner.

FOLLOW-UP REGISTRATION

Following the initial ninety (90) day registration period, residential rental dwelling units shall be registered as follows:

- A. Newly constructed residential rental dwelling buildings or units shall be registered prior to the issuance of a final Certificate of Occupancy.
- B. A residential rental dwelling building/unit sold, transferred or conveyed shall be re-registered by the new owner within thirty (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.
- C. 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.

REGISTRATION INFORMATION

The following information shall be provided by the owner at the time of registration.

- A. Owner's name, home address, telephone numbers, fax number, e-mail address (optional)
- B. Local agent's (if applicable) name, home address, telephone number(s), fax number, and e-mail address (optional)
- C. Address of each building owned (fee simple or land contract) by the owner containing residential rental dwelling unit(s) (includes a multi-unit building in which the owner lives)
- D. The number and identifying address of each residential rental dwelling unit for buildings containing more than one dwelling unit.
- E. Signature of owner attesting to the truthfulness of the information provided. If signed by the owner, said owner being a company, corporation, governmental or private agency, or

any other entity, only a duly authorized officer or administrator may sign the registration form.

CHANGES IN REGISTRATION INFORMATION

Changes in the registration information shall be provided in writing to the City of Ishpeming Code Enforcement Officer within ten days of the date of the change.

FEES

There shall be no fee for the registration, re-registration, or updating of registration information within the allotted time periods.

PENALTY FOR FAILURE TO COMPLY

- A. Failure to comply with any provision in this Ordinance shall constitute a misdemeanor, which upon conviction thereof, shall subject the violator to a fine of up to Five Hundred (\$500.00) Dollars and/or imprisonment for a period not to exceed ninety (90) days for each offense, or both such fine and imprisonment in the discretion of the Court, together with the costs of such prosecution.

- B. The submission of false information on a residential rental dwelling unit registration form shall constitute a misdemeanor, which upon conviction thereof, shall subject the violator to a fine of up to Five Hundred (\$500.00) Dollars and/or imprisonment for a period not to exceed ninety (90) days for each offense, or both such fine and imprisonment in the discretion of the Court, together with the costs of such prosecution.