

**DELHI CHARTER TOWNSHIP
INGHAM COUNTY, MICHIGAN**

TOWNSHIP ORDINANCE NO. 102.7

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, 2012 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.

THE CHARTER TOWNSHIP OF DELHI ORDAINS:

SECTION 3-86. ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION.

That a document, five (5) copies of which shall at all times be available for public inspection at the office of the Township Clerk together with all amendments marked and designated as the International Property Maintenance Code, 2012 Edition, published by the International Code Council shall be and is hereby adopted by the Charter Township of Delhi. That said code is adopted and made a part hereof by reference except as amended by and within this ordinance. In accordance with the enabling statutes cited in the preamble to this ordinance, the Clerk shall make available copies of the ordinance in the Clerk's office together with amendments which shall be available for distribution to members of the public at large at a charge to be established by the Township Board.

SECTION 3-87. AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION.

- A. Section 101.1 is hereby amended to read:

Title. These regulations shall be known as the *Property Maintenance Code of Delhi Charter Township*, herein referred to as "this code".

- B. Section 102.3 is hereby amended to read:

Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Michigan Residential Code, Michigan Uniform Energy Code, Michigan Rehabilitation Code for Existing Buildings, the Delhi Charter Township Zoning Ordinance, the Michigan Plumbing Code, the Michigan Mechanical Code, the 2011 National Electrical Code with part 8 amendments, and the International Fire Code. When a code other than that, which is hereby

listed, is referenced within this code, the locally adopted equivalent code shall be the reference standard.

C. Section 103.2 shall be and is hereby deleted.

D. Section 103.3 shall be and is hereby deleted.

E. Section 103.5 is hereby amended to read:

Fees. The fees for activities and services associated with the enforcement of this ordinance may be established by resolution of the Township Board.

F. Section 106.3 is hereby amended to read:

Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107, relating to Section 108.4.1 and Section 108.5 shall be deemed guilty of a misdemeanor. Any person failing to comply with a notice of violation or order served in accordance with Section 107 for any other section of this code shall be deemed guilty of a civil infraction. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

G. Section 109.5 is hereby amended to read:

Costs of emergency repairs. Costs incurred in the performance of emergency work shall be charged against the real estate upon which the work was performed and shall be a lien upon such real estate.

H. Section 111.1 is hereby amended to read:

Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within ten (10) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

I. Section 112.4 is hereby amended to read:

Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a civil infraction.

J. Section 202 is hereby amended to add the following definitions to those listed in this section:

Authorized Township Official refers to the Director of Community Development of Delhi Charter Township or his/her agent.

Code means any code or ordinance adopted by Delhi Charter Township.

Common area is the area in a rental dwelling or complex not within a tenant's private rental unit. It may include, but is not limited to, hallways, basement areas, common exterior stairways, balconies and space which contain mechanical, electrical or plumbing equipment.

Good faith effort is work done towards removing or rectifying a code violation, while not completed, in the sole opinion of the authorized township official, substantial, and tangible progress toward that end has been made.

Owner Occupied Dwelling means a dwelling which a person both owns as a title holder or land contract purchaser and lives in as his or her true, fixed and permanent home to which, whenever absent, the person intends to return.

Rental complex is a group of rental dwellings

Rental dwelling is any dwelling containing a rental unit, a rooming unit, or hotel/motel unit, including single family homes and mobile homes occupied by a tenant or tenants.

Rental property refers generally to all rental complexes, dwellings and units.

Rental unit is a particular living quarters within a dwelling intended for occupancy by a person other than the owner and the family of the owner, including mobile homes, single family homes, apartments, hotel/motel units, rooming units, and for which a remuneration of any kind is paid.

Tenant is a person residing in a rental dwelling or rental unit not holding any legal or equitable title to the property.

Violation Notice is a written correspondence issued by the Department of Community Development advising an owner, or his agent, of a violation of this ordinance. Violation notices shall list all infractions and corrective measures necessary to comply with this ordinance and a time period within which corrections must be completed.

K. The term "owner" within Section 202 is hereby amended to read:

Owner. Any person, agent, operator, firm, limited liability company, agent, operator, manager, partnership or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the state of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court. Owner shall not include a tenant.

L. 302.1.1 is hereby added to read:

Furniture which is not intended or designed for outdoor use shall not be placed outdoors or on exterior balconies, porches, decks, landings, or other areas outside of any structure.

M. Section 302.4 is hereby amended to read:

Weeds. Weeds or grasses in excess of eight (8) inches in height shall be prohibited on residential properties and on parcels of land along improved streets in common usage within the Township, to a depth of 165 feet or the depth of the parcel, whichever is less.

In lieu of the notice provisions in § 107, the Township may publish a notice in a newspaper of general circulation within Delhi Charter Township during the month of March that grass and weeds in violation of the provisions of this Ordinance not cut by May 1 of the same year will be cut by the Township and the owner of the property shall be charged with all associated costs thereof. The Township may cut such weeds and grass as many times as shall be necessary after the publication of the aforementioned notice without further notice and the expenses incurred by the Township shall be placed as a lien against the property taxes. An administrative fee may be authorized by resolution of the Township Board to reflect the administrative costs and man hours incurred by the Township.

Trees, shrubs and other landscape plantings shall be tended and well maintained at all times. Dead or dying trees and shrubs will be removed promptly.

N. Section 302.7 is hereby amended to read:

Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. The installation or use of temporary accessory structures including, but not limited to those utilizing tarps, canvas, plastic, or any other material which is not deemed acceptable by the State Building Code shall be prohibited unless otherwise approved and/or permitted by the Township Building Official or the Zoning Administrator.

O. Section 304.2 is hereby amended to read:

Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement. Repairs, maintenance and materials shall be consistent in appearance with and character with the rest of the structure.

P. Section 304.3 is hereby amended to read:

Premises Identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be a minimum of four (4) inches high and shall be standard numerals. Alphabet letters shall be prohibited.

Q. Section 304.6.1 is hereby added to read:

Manufactured homes and trailers shall have continuous skirting around the bottom perimeter of said structure.

R. Section 304.13.1 is hereby amended to read:

Glazing. All glazing materials shall be maintained free from cracks and holes. Glazing panels which are clouded or fogged shall be replaced.

S. Section 304.14 is hereby amended to read:

Insect Screens. During the period from April 1 to October 1, every door, window and other outside opening shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

T. Section 305.7 is hereby added to read:

Every window treatment within a rental dwelling, as viewed from the exterior of the structure, shall be of a consistent solid color. The use of sheets, blankets and similar materials not intended or designed for use as a window covering shall be prohibited.

U. Section 307.1.1 is hereby added to read:

Existing guard opening limitations. Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures which do not allow passage of a sphere four (4) inches or more in diameter. The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere six (6) inches cannot pass through.

V. Section 308.4 is hereby added to read:

Rubbish and garbage container storage. All rubbish and garbage containers shall be placed at curbside no more than twelve (12) hours in advance of the scheduled rubbish or garbage pickup. All such containers shall be kept in an inconspicuous place between pickup intervals.

W. Section 403.5.1 is hereby added to read:

Clothes dryer exhaust materials. Only UL approved rigid and semi-rigid vent materials shall be used for purposes of venting clothes dryers. Unapproved plastic or foil-type flexible vent materials are prohibited.

X. Section 602.3 is hereby amended to read:

Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from September 1st to June 1st to

maintain a temperature of not less than 68 F (20 C) in all habitable rooms, bathrooms, and toilet rooms.

Y. Section 602.4 is hereby amended to read:

Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the period from September 1st to June 1st to maintain a temperature of not less than 65 F (18 C) during the period the spaces are occupied.

Z. Section 602.6 is hereby added to read:

Inspection. Fuel-fired furnaces and boilers installed more than five (5) years and serving any dwelling which is rented or leased shall be inspected; deemed safe, approved for use pursuant to the Michigan Mechanical Code, at least once every two years by a licensed mechanical contractor and a certificate of inspection shall be provided upon request.

AA. Section 604.4 is hereby added to read:

Temporary Auxiliary Electrical Facility Connections. When emergency auxiliary electrical facilities are required to maintain electrical service to a dwelling, the following provisions shall apply:

1. Such facilities shall provide no less than the minimum requirements set forth in Section 604.2.
2. Such facilities shall comply with the National Electrical Code.
3. An electrical permit shall be secured from the Department of Community Development to establish a proper and safe connection to the dwelling.
4. Such facilities shall be installed in such a manner as to minimize noise and so as to not disturb the peace and repose of nearby properties.
5. Such facilities shall only be permitted under emergency situations as determined by the code official. For purposes of this section, the termination of power by the power supplier for non-payment shall not constitute an emergency.
6. Temporary auxiliary electrical facilities shall be permitted for a period of no more than (30) calendar days; after which time a permanent electrical connection must be re-established, or, the dwelling must be vacated.

BB. Section 705 is hereby added to read:

Carbon Monoxide Alarms. An approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units within which fuel-fired appliances are installed and in dwelling units that have attached garages.

Alarm requirements. Single station carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed in accordance with this code and the manufacturer's installation instructions.

CC. Appendix A - Boarding Standard, of the 2012 International Property Maintenance Code, and the provisions therein is hereby adopted in its entirety.

EFFECTIVE DATE.

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

Ayes: Hayhoe, Hope, Ketchum, Sweet, Davis

Nays: None

Absent: Harmon, Warfield

Adopted by the Delhi Charter Township Board of Trustees at a regular meeting held on the 6th day of May, 2015 at 7:30 p.m.

First Reading:	04/21/15
First Publication:	04/26/15
Second Reading/Adoption:	05/06/15
Second Publication:	05/17/15
Effective Date:	05/17/15

C.J. Davis, Supervisor

Evan Hope, Clerk