

**ORDINANCE #25-01**

**AN ORDINANCE TO AMEND MARQUETTE CITY CODE**

**CHAPTER 26, ARTICLE III, REGARDING**

**RENTAL PROPERTY OCCUPANCY LIMITS**

**INTENT**

The purpose of this ordinance is to amend Article III (Rental Fire Safety Code) of Chapter 26 (Fire Prevention and Protection) of the Code of the City of Marquette to adjust occupancy limits of rental properties, and to make other minor amendments.

**The City of Marquette Ordains:**

**SECTION 1. That the definitions of 'Bedroom', 'Family' and 'Let for Occupancy', located in Section 26-46, be hereby amended to read as follows:**

*Bedroom* means any room or space used or intended to be used for sleeping purposes. Bedrooms shall follow requirements detailed in the International Property Maintenance Code. Bedroom occupant capacity shall be determined at the time of the compliance inspection.

*Family* means

- (1) Any group of individuals living together as a single housekeeping unit or the functional equivalent of a family, where the residents are a close group with social, economic, and psychological commitments to each other;
- (2) Not more than five unrelated persons living together as a single housekeeping unit;
- (3) The tenants of a short-term rental property for which a valid permit has been issued by the fire department;
- (4) The "functional equivalent of a family" shall not include any organization such as a club, fraternity, lodge, monastery, or intentional community, nor any individuals whose association is seasonal or for limited durations defined by their occupation/jobs or educational pursuits, nor shall it include a group who share a dwelling unit explicitly for financial or philosophical reasons, or include any state-licensed facility except to the extent permitted by law.

*Let for occupancy* or *let* means to permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premises or structure by a person who is or is not the legal owner of record thereof, with or without consideration, pursuant to a written or unwritten lease, agreement, or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**SECTION 2. That Section 26-49(b) be hereby amended to read as follows:**

(b) Non-periodic inspections, specified in subsections 1-5 below, will be scheduled as soon as practicable by the fire department:

- (1) Upon receipt of a complaint from an owner, operator, occupant, or citizen who would have occasion to be aware that the premises are in violation of this article. If a fire inspector determines that a complaint was filed without a factual basis and such inspection is made on a complaint basis, a municipal civil infraction shall be charged to the complainant.
- (2) Upon receipt of a report or a referral from the police department, fire department, community development department, public or private school or another public agency.
- (3) Upon receipt of knowledge that a rental unit is not registered with the city as required by this article.
- (4) Upon evidence of an existing property maintenance code violation observed by or brought to the attention of the fire inspector.
- (5) Upon request of the owner or operator to determine the eligibility of increased capacity from four persons to five persons.

**SECTION 3. That this ordinance shall take effect ten days after adoption but not before publication.**

---

Jessica Hanley, Mayor

---

Kyle Whitney, City Clerk

Date Adopted: \_\_\_\_\_

Date Published: \_\_\_\_\_