

SUSPEND 1ST READING
ORDINANCE

DATE: 04.18.2022
MOTION BY: Martin
SUPPORTED BY: Hammond
Motion Carried: 5-0

SUSPEND 2ND READING
ORDINANCE

DATE: 05.02.2022
MOTION BY: Martin
SUPPORTED BY: Tefend
Motion Carried: 7-0

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Matthew A. Zick

April 26, 2022

AGENDA ITEM - 2nd Reading

Mayor and Council
City of Flat Rock
25500 Gibraltar Road
Flat Rock, MI 48134

CITY OF FLAT ROCK
A P P R O V E D

BY - Council
DATE 05.02.2022
MOTION BY Dishaw
SUPPORTED BY Wrobel
MOTION CARRIED 7-0

Re: Amendments to Revise FR City Ordinance Chapter 18,
Article X - Rental Inspection Ordinance (2nd Reading)
Our File No. 22-128

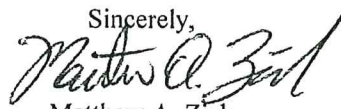
Dear Mayor and Council:

Please find for your review and consideration, proposed Ordinance number 456 re: Amendments to revise FR City Ordinance Chapter 18, Article X - Rental Inspection Ordinance.

The proposed revised Ordinance is set forth in the attached document. Specifically, section 18-506(b) is being amended to provide that rental inspections will occur every three (3) years instead of 5 years as set forth in the existing ordinance. Furthermore, section 18-507 is hereby being amended to reflect a new fee schedule which is attached for review.

Please be advised that this is the second reading of this Ordinance. If this proposed Ordinance #456 meets with Council's approval, please pass a Motion to waive the second reading followed by a separate Motion to adopt the Amended Ordinance. Also, by way of an additional resolution, please pass the subject amendment to the Building Department Fee Schedule.

Thank you for your attention to this matter. If you should have any questions, please feel free to contact my office.

Sincerely,

Matthew A. Zick
City Attorney

MAZ/kp
Attachments

CITY OF FLAT ROCK

WAYNE COUNTY, MICHIGAN

**ORDINANCE NO. 456
RENTAL INSPECTION ORDINANCE**

AN ORDINANCE TO AMEND SECTIONS 18-506 AND 18-507 OF CHAPTER 18, ARTICLE X OF THE CODE OF THE CITY OF FLAT ROCK AS TO RENTAL INSPECTIONS

THE CITY OF FLAT ROCK ORDAINS:

Section I. Sections 18-506 and 18-507 of Chapter 18, Article X of the Code of the City of Flat Rock are hereby amended to read as follows:

THE CITY OF FLAT ROCK, WAYNE COUNTY, MICHIGAN, ORDAINS:

Sec. 18-506. - Certificate of compliance required.

(a) No person shall lease, rent or cause to be occupied a rental dwelling or rental unit unless there is a valid certificate of compliance issued by the director in the name of the owner/responsible local agent and issued for the specific rental dwelling and rental unit. The application for a certificate of compliance by an owner or responsible local agent shall clearly provide that such application for certificate of compliance constitutes permission by the owner allowing the director and inspectors to enter the rental dwelling or rental unit at reasonable hours to undertake an inspection in accordance with this article. The certificate shall be displayed in a conspicuous place in each rental dwelling and rental unit at all times or in a common area shared by all occupants of a rental dwelling and rental unit. The certificate shall be issued after making application with the director and an inspection by the building and fire departments to determine that each rental dwelling and rental unit complies with the provisions of the codes and ordinances of the City of Flat Rock. An inspection report shall be completed by the inspectors after completing the inspection of the property. The report shall note all violations found in the dwelling. Before a certificate of compliance is issued all violations must be corrected and approved.

(b) A certificate of compliance is valid for a period of three years from its date of issuance provided that the rental dwelling and rental units remain in compliance with all applicable codes and ordinances and are not sold or transferred. For a new rental dwelling a certificate of compliance shall be issued simultaneously with the certificate of occupancy, and shall remain valid for three years provided that the rental dwelling and rental units remain in compliance with all the applicable codes and ordinances and are not sold or transferred. When the rental dwelling or rental units are intended to be sold or transferred, a new inspection and a new certificate of compliance shall be required. The inspection fees will follow the same guidelines as stated in section 18-507. The director may revoke a certificate of compliance for a violation of any code, ordinance or rule or regulation of the city. The certificate of compliance must be renewed every three years at the department of building and safety.

(c) Except as provided in subsection (d), the director, inspector, or team of inspectors, shall request and receive permission to enter before entering a rental dwelling or rental unit regulated by this section at reasonable hours to undertake an inspection. In the case of an emergency, or upon presentment of a warrant, the director, inspector or team of inspectors, may enter at any time.

(d) The director may require the owner of a rental dwelling or rental unit to do one or more of the following:

(1) Provide the director, inspector, or team of inspectors, access to the rental dwelling or rental unit if the lease provides the owner a right of entry.

(2) Provide access to areas other than a rental dwelling or rental unit or areas open to public view, or both.

(3) Notify a tenant of the director's request to inspect a rental dwelling or rental unit, make a good faith effort to obtain permission for an inspection, and arrange for the inspection. If a tenant vacates a rental dwelling or rental unit after the director has requested to inspect the premises, an owner of the rental dwelling or rental unit shall notify the director of that fact within ten days after the rental dwelling or rental unit is vacated, and shall not re-rent the premises until an inspection of the rental dwelling or rental unit is made by the director, inspector, or team of inspectors.

(4) Provide access to the rental dwelling or rental unit if a tenant of the premises has made a complaint to the director.

(e) For multiple lessees of a rental dwelling or rental unit, notifying at least one lessee and requesting and obtaining the permission of at least one lessee shall constitute permission for inspection.

(f) In a non-emergency situation or the owner or occupant demands a warrant for inspection of the premises, the director shall obtain an administrative search warrant from a court of competent jurisdiction. The director shall prepare the warrant, stating the address of the building to be inspected, the nature of the inspection, as defined in this or other applicable ordinances, and the reason for the inspection. It shall be appropriate and sufficient to set forth the basis for inspection (e.g. application for a certificate of compliance, complaint, occupancy of a rental dwelling or rental unit) established in this ordinance or other ordinances, statutes, or rules and regulations. The warrant shall also state that it is issued pursuant to this section, and that it is for the purposes set forth in this section which require the inspections he conducted. In the event of an emergency, no warrant shall be required.

(Ord. No. 406, § I, 10-6-08 ; Ord. No. 406-A, § I, 5-4-09; Ord. No. 456, 5-4-22).

Sec. 18-507. - Certificate of compliance application form and fee.

(a) Applications for certificate of compliance shall be made in such form and in accordance with such instructions as may be provided by the director and shall include at least the following information:

(1) Name, address and phone number of the owner(s).

(2) Name, address and phone number of responsible local agent.

(3) Address and number of units applied for under the certificate of compliance.

(b) The inspection fee for a certificate of compliance for each rental dwelling and for each additional rental unit contained within the said rental dwelling shall be in the amount as set forth in the City of Flat Rock Building Department Fee Schedule as established by resolution of the city council.

(c) The renewal inspection fee every three years for each rental dwelling and for each additional rental units contained within that rental dwelling shall be in the amount as set forth in the City of Flat Rock Building Department Fee Schedule as established by resolution of the city council.

(d) The fees provided in this section may be amended from time to time by resolution of the city council. The Fee Schedule shall be made available to the public at City Hall during regular business hours.


(Ord. No. 406, § I, 10-6-08; Ord. No. 456, 5-4-22).

Section II.

That all ordinances or parts of ordinances of the Code of the City of Flat Rock, or parts of the Code of the City of Flat Rock, not consistent herewith are hereby repealed.


Section III.

This ordinance or summary thereof shall be published in the News-Herald newspaper as required by Charter on the 8th day of May, 2022, but in no event shall be effective earlier than May 22, 2022.


Mark A. Hammond, Mayor


Shane A. Harrison, City Clerk

I hereby certify that the foregoing is a true copy of the ordinance adopted by the Council of the City of Flat Rock at a meeting thereof on May 2, 2022, the original of which proceedings are on file in my office.


Shane A. Harrison, City Clerk



CITY OF FLAT ROCK
DEPARTMENT OF BUILDING & SAFETY

25500 Gibraltar Road, Flat Rock, MI 48134
Telephone (734)782-0445 Fax (734)783-0304
www.flatrockmi.org

FEE SCHEDULE PROPOSED CHANGE

<i>Resale Inspection:</i>	\$200 for Inspection
<i>Rental Certificate of Occupancy (One Unit):</i>	\$350 for License & Inspection every 3 years
<i>Rental (2 to 25 Units):</i>	\$350 plus \$60 per unit every 3 years

Approved by City Council on July 6, 2020



MICHIGAN GROUP

AFFIDAVIT OF PUBLICATION
2125 Butterfield Dr, Suite 102N • Troy MI 48084

CITY of FLAT ROCK
25500 GIBRALTAR ROAD

FLAT ROCK, MI 48134-1399
Attention: Shane Anne Harrison

STATE OF MICHIGAN,
COUNTY OF WAYNE

The undersigned Andy Slater, being duly sworn the he/she is the principal clerk of The News-Herald, thenewsherald.com, published in the English language for the dissemination of local or transmitted news and intelligence of a general character, which are duly qualified newspapers, and the annexed hereto is a copy of certain order, notice, publication or advertisement of:

CITY of FLAT ROCK

Published in the following edition(s):

The News-Herald	05/08/22
thenewsherald.com	05/08/22

Sworn to the subscribed before me this 11 May 2022

Vicki Anderson

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