



- **ARTICLE IV. - RENTAL DWELLING UNITS^[2]**
- **Sec. 10-68. - Definitions.**

The terms used in this article shall be as defined in the zoning chapter.

Immediate family members means an individual's lineal ancestors or descendants within one degree of kinship, including grandparents, parents, siblings or children.

Owner means an individual, fiduciary, partnership, association, corporation or other entity holding legal or equitable title in a rental dwelling unit.

Rental dwelling unit.

(1) The term "rental dwelling unit" means any dwelling unit which is in whole or in part occupied by one or more persons pursuant to an oral or written agreement for monetary or any other consideration, but which person is not acquiring an ownership interest in the dwelling unit, **For a time frame of 6 (six) consecutive months.** The term "rental dwelling unit" includes:

- a. Boardinghouses;
- b. Multifamily apartment houses;
- c. One or more single-family dwellings;
- d. Two-family or multiple-family dwellings;
- e. Manufactured homes;
- f. Mobile homes;
- g. Lodging houses; and
- h. Townhouses.

(2) The term "rental dwelling unit" does not include hotels, motels, bed and breakfasts or dwelling units that are occupied only by the owner's immediate family members.

- **Sec. 10-69. - Violations; penalty.**

A person who violates this article or any part thereof shall be responsible for a municipal civil infraction per 2019-01.

- **Sec. 10-70. - Registration required.**

All rental dwelling units shall be registered with Pierson Township in accordance with the terms of this article. Every owner of a building within Pierson Township that has a dwelling unit for rent shall file an application for registration in accordance with the terms of this article.

- **Sec. 10-71. - Rental registration form; contents; procedure.**

To register as provided for in this article, the owner of any rental dwelling unit located in the city shall submit a registration application to the city building inspector on a form provided by the city. The application shall, at a minimum, contain the following information:

(1) The owner's name, address, telephone and facsimile number and email address.

- a. If the owner is a partnership such information shall be provided for each general partner.
- b. If the owner is a corporation, such information shall be provided for each corporation officer and for each owner of 20 percent or more of the stock in the corporation and shall state the corporate title/position of each such person.

(2) If the owner wishes an agent to be contacted or wishes that only one officer/partner should be contacted, the name of that agent as well as the agent's address, telephone number, facsimile number and email address shall be provided on the application.

(3) Information about the dwelling unit including:

- a. Street address of the building;
- b. Total number of dwelling units in the building for rent and any other uses and occupants of the building;
- c. Brief description of the type of units rented (e.g., rooming/dormitory type; private bath/full kitchen, etc.), and the number of square feet in each unit and a sketch of the floor plan of each floor;
- d. Number of off-street on-site parking spaces provided for tenants, including a sketch of the site showing the location of each space; and
- e. A description of the locations of all smoke detectors.

(4) Each completed rental registration application must be signed by the owner swearing that the information stated on the application is true, accurate and complete and authorizing the inspection required under section 10-75.

(5) It is a violation of this article for an owner to provide inaccurate information for the registration of a rental dwelling unit, to fail to provide information required by this section, or to fail to register a rental dwelling unit.

([Ord. No. 187, § 1](#), 5-8-2014)

- **Sec. 10-72. - Fees.**

Every person submitting a rental registration application shall pay a registration and processing fee as established by resolution of the city council from time to time. Any person filing a rental registration application shall pay a fee for the initial inspection of each rental unit, and a fee for each inspection required upon a change in ownership of a rental unit, which fees shall be in amounts established by resolution of the city council from

time to time. Where multiple inspections or re-inspections are required to ascertain compliance with applicable codes or where inspection appointments are made and missed by the registrant, additional inspection fees may be imposed consistent with resolutions adopted by the city council from time to time.

[\(Ord. No. 187, § 1, 5-8-2014\)](#)

- **Sec. 10-73. - Rental registration form; time for filing; notice of changes; removal from registration.**

(a) An application for registration shall be filed by the later of:

- (1) Sixty days of the effective date of the ordinance from which this article is derived (XXXX);
- (2) Sixty days after any change in ownership of a rental dwelling unit;
- (3) Sixty days after the conversion of any structure or portion thereof to a rental dwelling unit; or
- (4) Within 60 days of any change of any information provided in the rental registration application.

(b) A rental dwelling unit registered hereunder shall no longer be subject to the provisions of this article if it ceases to be a rental dwelling unit.

(c) An owner seeking removal from registration requirements shall provide sufficient documentation to verify that the unit is no longer a rental dwelling unit.

[\(Ord. No. 187, § 1, 5-8-2014\)](#)

- **Sec. 10-74. - Compliance with legal requirements.**

The owner of a rental dwelling unit shall operate and maintain the rental dwelling unit at all times in compliance with all applicable state and local codes, rules and regulations and shall cooperate in the city's efforts to enforce the same.

[\(Ord. No. 187, § 1, 5-8-2014\)](#)

- **Sec. 10-75. - Inspections.**

Inspections of rental dwelling units shall be made by the city's building inspector and fire inspector as follows:

(1) Upon the filing of an application pursuant to this article an inspection shall be made during which there shall be noted any observed violations of the applicable building code, IPMC or fire code provisions. If the rental dwelling units applied for were constructed less than five years prior to the application date, such units need not be inspected until the fifth anniversary of the issuance of a certificate of occupancy for such units.

(2) An inspection shall be made upon a complaint made by any owner, adjacent property owner or occupant of a building or rental dwelling unit within it, or in the event of a visible defect in the exterior of the building. If the complaint is made by an occupant, the occupant shall submit proof that the owner was notified of the defect more than 30 days prior to the date of the complaint, unless the complaint alleges a defect that poses an immediate threat to the health and/or safety of the occupant. During any such inspection, there shall be noted any observed violations of applicable construction, fire, safety or similar codes. Re-inspections shall be made as necessary to ensure such noted violations have been corrected.

(3) Scheduled re-inspection of all registered properties shall take place three years after the initial inspection; provided, however, that if the reinspection does not disclose any applicable code violations, then the next

scheduled reinspection shall take place five years later. If such violations are found during any scheduled reinspection, the next scheduled reinspection shall take place three years later.

(4) Municipal civil infraction citations may be issued during any inspection or reinspection.

(5) In the event inspections or re-inspections result in the issuance of three or more separate applicable code violations within a 12-month period, the owner shall be notified that the approved registration is revoked, and the owner shall be subject to any and all applicable penalties for failing to comply with this article. The owner shall have the right to appeal to the city council such revocation, setting forth in writing the basis for its appeal and submitting its appeal within ten calendar days of its receipt of the notice of revocation from the city. The city council shall review the basis for the appeal and all other facts which it deems relevant to its review and shall make a determination on the appeal. In its determination the city council may affirm the revocation, overturn the revocation or take such other action as it deems appropriate and consistent with the terms of the city codes and regulations.

(6) Every rental dwelling unit shall be inspected at least once every six years. Unless otherwise notified by the city, it shall be the responsibility of the owner of a registered rental dwelling unit to schedule re-inspections required by subsection (3) of this section.

(7) Between inspections required by this section, the city may conduct additional inspections in the manner best calculated to secure compliance with this article and this Code upon one or more of the following basis:

a. *An area basis.* All the required rental dwelling units in a predetermined geographical area will be inspected simultaneously, or within a short period of time.

b. *A complaint basis.* As provided within subsection (2) of this section.

c. *A violation basis.* If Pierson Township has reasonable cause to believe a rental dwelling unit is in violation of a Pierson Township ordinance or applicable law or regulation, the rental dwelling unit will be inspected within a reasonable time.

d. *A recurrent violation basis.* Rental dwelling units that are found to have a high incidence of recurrent or uncorrected violations may be inspected more frequently.

e. *A percentage basis.* The city may establish a percentage of units in a multifamily apartment house to be inspected in a short period of time.

(8) Unless Pierson Township agrees to other arrangements, all inspections shall occur during normal business hours (T-Th , 9 AM – 2 PM) hours and all fees established pursuant to this article shall be paid prior to inspection to a Pierson Township approved inspector.

[\(Ord. No. 187, § 1, 5-8-2014\)](#)