MELVINDALE BUILDING DEPARTMENT

RESIDENTIAL RENTAL PROPERTY

INSPECTION AND COMPLIANCE INFORMATION

CITY OF MELVINDALE

RESIDENTIAL RENTAL PROPERTY

INSPECTION AND COMPLIANCE INFORMATION

In addition to federal and state laws relating to rental properties, the city of Melvindale has several ordinances regarding rental property registration, inspection and compliance with building code standards. The following provides information to all city property owners who plan to rent dwellings and units within the city:

REGISTRATION

1. All rental dwellings and rental units are required to be registered with the Melvindale Building Department. The registration form is located at Attachment 1.

2. There must be a responsible local agent disclosed on the registration form who resides in Wayne County. The local agent and the property owner may be the same if the property owner resides in Wayne County. The responsible local agent shall receive all notices from the city.

3. The responsible local agent shall be designated by the property owner as the responsible party for operating the premises in accordance with all laws and shall receive all notices provided by the city of Melvindale.

4. Once registered, the city's Building Department will inform the responsible local agent of the Certificate of Compliance requirements. **Note**: A Certificate of Compliance is different than a Certificate of Occupancy. Rental dwellings and rental units require both a Certificate of Occupancy and a Certificate of Compliance.

5. The registration is valid as long as ownership of the property remains unchanged. If ownership changes, the registration and the Certificate of Compliance expire and the new property owner must register and obtain a Certificate of Compliance for each rental dwelling and rental unit. The seller shall notify the Building Department within 30 days of the sale that the property is being transferred; the buyer has within 10 days of the transfer to register and apply for a Certificate of Compliance. It is unlawful to transfer ownership of a rental dwelling or rental unit while there is an open notice of building violations unless the transferee acknowledges the violation in a signed and notarized writing.

6. The fee for registration and penalties for failing to register are located at Attachment 2.

7. The city's Building Department will have custody of the rental property registry.

CERTIFICATE OF COMPLIANCE

1. A property owner may not lease, rent or occupy a rental dwelling or rental unit without a Certificate of Compliance that is issued by the city's Building Department in the name of the property owner or responsible local agent.

2. A Certificate of Compliance is issued to a property owner or responsible local agent after an inspection of the property, after any violations are remedied, and after the building department approves that the rental dwelling or rental unit is in compliance with all building codes pertaining to rental property. The initial inspection of the property shall be conducted by the city's building official or his designated representative and all other appropriate inspectors to determine that each rental dwelling and rental unit complies with the provisions of the ordinances of the city of Melvindale. Once the initial Certificate of Compliance expires, and for any other renewals, the city's building inspector and/or his/her designee shall conduct the inspections and contact a specific inspector in the event a specific violation is discovered.

3. If the rental dwelling or rental unit is a new construction, the Certificate of Compliance is issued with the Certificate of Occupancy and is good for five years.

4. For one and two family dwellings and common areas of multi-rental dwellings, a Certificate of Compliance is good for two years.

5. For individual units in a multi-unit dwelling, a Certificate of Compliance is good for five years.

6. The city's Building Department may revoke a Certificate of Compliance for violation of any ordinance, rule or regulation.

7. The application form for a Certificate of Compliance is located at Attachment 3.

8. The application fee for a Certificate of Compliance and penalties for failing to apply for a Certificate of Compliance are located on Attachment 2.

INSPECTIONS

1. The city's Building Department and Fire Department are authorized to make inspections of rental dwellings and rental units. Unless otherwise indicated in the Certificate of Compliance section above, the city's building official or his designated representative and all other appropriate inspectors shall inspect each rental dwelling and rental unit to ensure that it complies with the provisions of the ordinances of the city of Melvindale.

2. Inspections are to be made prior to occupation or reoccupation of any rental unit that has been vacated and has outstanding violations.

3. Upon seven days notice to the responsible local agent, the city's Building Department may inspect the exterior of all vacant rental property, unless it is the case of an emergency, then immediate inspection is permitted. The property owner is responsible for all inspection fees incurred by the city.

4. For newly registered rental dwellings or rental units that are not new construction, inspections are to be made within 30 days of registration.

5. For new construction rental dwellings, inspections are made simultaneously with the Certificate of Occupancy request.

6. Multi-rental units shall be inspected every two years. If an inspection turns up with no violations, the next inspection need not take place for three years. However, the Building Department may order an inspection prior to such time if complaints have been made on the condition of the property.

6. For one and two family rentals, once a Certificate of Compliance is obtained, inspections will be on a two year cycle. However, the Building Department may order an inspection prior to such time if complaints have been made on the condition of the property.

7. On common and public areas of multi-rental dwellings, once a Certificate of Compliance is obtained, inspections will be on a two year cycle. However, the Building Department may order an inspection prior to such time if complaints have been made on the condition of the property.

8. Violations are sent by registered mail to the responsible local agent. All violations must be corrected within the time prescribed by the city's Building Department. Failure to correct the violations may result in additional re-inspection charges, as well as penalties. **Note**: it is unlawful to transfer ownership of a rental dwelling or unit while there is an open notice of violation, unless the transferee acknowledges the violation in a signed and notarized writing.

9. All listed violations must be corrected within the time allotted by the city's Building Department. Proper permits must be obtained by licensed contractors for all repairs requiring a permit. The responsible local agent will be notified of the re-inspection date to determine if violations are corrected. Failure to have all violations corrected by the re-inspection date will result in additional re-inspection charges, penalties and revocation of the Certificate of Compliance.

10. All inspections are to be performed by the Melvindale Building Department and/or the city's fire department.

11. Inspections fees are provided in Attachment 2.

12. The inspection checklist for rental dwellings and rental units is provided in Attachment 4.

A copy of the city's current rental ordinances is provided on Attachment 5. If you have any questions, please contact the city's Building Department at (313) 429-1060.

City of Melvindale
Department of Building and Safety
3100 Oakwood Boulevard
Melvindale, Michigan 48122
Telephone: 313-429-1060

RESIDENTIAL RENTAL INSPECTOR: ANDY BOVAIR (313) 338-5135

RENTAL PROPERTY REGISTRATION

Property Address: _____ Date _____

Number of Rental Units in Each Building _____

TOTAL REGISTRATION FEE $35.00

Legal Owner	**Responsible Local Agent**
Name _____	Name _____
Address _____	Address _____
City/State/Zip _____	City/State/Zip _____
Business Phone _____	Business Phone _____
Home Phone _____	Home Phone _____
Cell Phone _____	Cell Phone _____
24 Hour Contact # _____	24 Hour Contact # _____
Drivers Lic. # _____	Drivers Lic. # _____
Date of Birth _____	Date of Birth _____

I fully understand the registration requirements, and implications required by Code of Ordinance, Sections 5-301 thru 5-318, pertaining to owning and renting of dwelling units and further agree that all notices, correspondence, violations and citations, as well as any other legal documents, may be served either to the owner or responsible local agent; and further agree to notify the Building Department upon the sale or transfer of the property, or change of responsible local agent; and further to comply with all ordinances and inspection requirements of the City of Melvindale, and to pay all associated fees and obtain a Certificate of Compliance as required.

Legal Owner: _____
Signature

Responsible Local Agent _____
Signature

CITY OF MELVINDALE

PROPERTY INSPECTION RATES

EFFECTIVE SEPTEMBER 15, 2013

RENTAL REGISTRATION	$35.00
CERTIFICATE OF OCCUPANCY INSPECTION	
SINGLE FAMILY RESIDENCE	$180.00
TWO FAMILY RESIDENCE	$250.00
MULTIPLE RESIDENTIAL – PER BUILDING/COMMON AREA	$180.00
PLUS EACH UNIT	$65.00
COMMERCIAL OR MFG. UNDER 10,000 SQ FT	$250.00
EACH ADDITIONAL 10,000 SQ FT OR FRACTION THEREOF	$100.00
REINSPECTION FEE:	$35.00

ADMINISTRATIVE FEES

EFFECTIVE SEPTEMBER 15, 2013

Administrative fees on **all** permits, Certificate of Occupancy applications, applications to all commissions, boards and all other similar items except contractor registration:

ADMINISTRATIVE FEE	
ITEMS UNDER $200	$15.00
ITEMS $200.00 AND OVER	$25.00

MISCELLANEOUS FEES

EFFECTIVE SEPTEMBER 15, 2013

NSF FEES	$55.00

CITY OF MELVINDALE
DEPARTMENT OF BUILDING AND SAFETY
3100 OAKWOOD, MELVINDALE, MICHIGAN 48122
(313) 429-1060

INSPECTION DATE AND TIME:

_____

RESIDENTIAL RENTAL INSPECTOR: ANDY BOVAIR (313) 338-5135

APPLICATION FOR CERTIFICATE OF COMPLIANCE

THIS IS AN ADMINISTRATIVE INSPECTION INTENDED FOR CITY USE. THE CITY OFFERS NO WARRANTIES EXPRESS OR IMPLIED BASED UPON THESE INSPECTIONS AND WARNS THAT ADDITIONAL UNNOTICED VIOLATIONS MAY EXIST. (THIS INSPECTION IS NOTINTENDED TO TAKE THE PLACE OF A PRIVATE HOME INSPECTION.)

NOTE: THIS IS NOT A *PERMIT* FOR USE OR OCCUPANCY OF LANDS OR BUILDINGS.

The undersigned hereby makes application for a Certificate of Compliance for rental property as herein described.

TYPE OF INSPECTION:

____ Rental Ordinance

Date Applied:_____

Location Address:_____

Building Use: _____

I HEREBY AFFIRM that all the above statements are true to the best of my knowledge and belief, and that the provisions of all Ordinances applicable hereto will be strictly complied with.

PLEASE PRINT:

_____
(Applicant Signature)

_____
Owner/Responsible Local Agent Name

_____
Mailing Address

_____
City / State / Zip

_____
Phone: HOME WORK CELL

_____
Driver License Number
Date of Birth: _____

ADMINISTRATIVE FEE $_____

APPLICATION FEE $_____

TOTAL FEE $_____

OFFICE USE ONLY, IF REQUIRED:

Rental Inspector	Electrical	Mechanical	Plumbing	REGISTERED AS RENTAL?
_____	_____	_____	_____	Yes _____ No _____

CITY OF MELVINDALE
ORDINANCE NO. 732

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF MELVINDALE BY THE REPEAL AND RE-ADOPTION OF SECTION 5-211 OF ARTICLE VII " PROPERTY MAINTENANCE CODE" IN CHAPTER 5 "BUILDINGS AND BUILDING REGULATIONS" TO ADOPT THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, WITH APPROPRIATE INSERTIONS.

THE CITY OF MELVINDALE ORDAINS:

ARTICLE I. Amendment: That Section 5-211, Michigan Property Maintenance Code, of Article VII, "Property Maintenance Code" under Chapter 5 "Buildings and Building Regulations" is hereby repealed and re-adopted to hereafter read as follows:

Chapter 5 Buildings and Building Regulations
Article VII Property Maintenance Code

Section 5-211. The International Property Maintenance Code.

(a) The 2006 Edition of the International Property Maintenance Code, establishing the minimum regulations governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures , is adopted by reference, subject to the following insertions:

Section 101.1

Insert: City of Melvindale

Section 103.5

Insert: Fee schedule, as adopted by Council.

Section 302.4

Insert: 6"

Section 304.14

Insert: April 1 to December 1

Section 602.3

Insert: Oct. 1 to May 15

Section 602.4

Insert: Oct. 1 to May 15

(b) The International Property Maintenance Code, in accordance with Act 230 of the Public Acts of 1972, as amended, shall be enforced by the city building department and inspectors, supervised by the chief code official.

ARTICLE II. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, including, but not limited to, a conflicting State law, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentences, phrases or portions of the Ordinance.

ARTICLE III. Saving Clause: Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance; nor shall the remaining Sections of this Ordinance be affected in any way, except as specifically amended herein.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Melvindale inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on November 5, 2008, a second reading on November 19 2008, shall be adopted on November 19, 2008, shall be published and posted on or before November 26, 2008, and shall be effective November 19, 2008.

ADOPTED, APPROVED AND PASSED by the Council of the City of Melvindale this 19th day of November, 2008.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by Council of the City of Melvindale at a regular meeting held on November 19, 2008.

_____
Kelly L. Blevins, City Clerk

The undersigned hereby certifies that the foregoing Ordinance was duly published by posting copies thereof in three (3), conspicuous places in the City of Melvindale on the 20th day of November, 2008, to wit:

1. City Hall, 3100 Oakwood Boulevard
2. Ice Arena, 4300 S. Dearborn Road
3. Library, 18650 Allen Road

and by publishing a summary of the foregoing Ordinance in the News Herald Newspaper on the 26th day of November , 2008.

_____
Kelly L. Blevins, City Clerk

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ARTICLE X. RENTAL DWELLINGS AND RENTAL UNITS

Sec. 5-301. Purpose.

To help protect the health, safety and welfare of the citizens by attempting to prevent blight, avoid the creation and maintenance of nuisance and insure minimum maintenance of rental dwellings and rental units recognizing how the conditions set forth in this article can affect the general well-being and property values of residents, and identifying procedures for enforcement and providing penalties for violation.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-302. Definitions.

As used in this article the following terms shall have the following meanings respectively ascribed to them in this section:

Certificate of compliance means a certificate issued by the department of engineering and building which certifies compliance with the provisions of the codes and ordinances of the City of Melvindale and any applicable state statute.

Lease means any written or oral agreement that sets forth any and all conditions concerning the use and occupancy of rental dwellings or rental units.

Notice of violation means a notice issued to the owner or responsible local agent stating that there has been a violation of a provision of this article or any other applicable codes. Ordinances, rules or regulations concerning said premises.

Occupancy means includes all tenants. lessees and persons residing within a rental dwelling or rental unit.

Owner means any person, agent, firm, or corporation having a legal or equitable interest in the premises.

Premises means any lot or piece of land inclusive of the rental dwelling or rental unit.

Rental dwelling means any structure, building or other facility promised and/or leased to a residential tenant or tenants for use as a single-family home, residence or sleeping unit or two-family homes residences or sleeping units. This definition includes, but without limitation, multiple-family dwellings, apartment units, boardinghouses, rooming houses, hotels, motels, flats and rented or leased mobile home units.

Multi-rental dwelling means any rental dwelling containing three or more rental units.

Multi-rental common area means area common to each group of rental units served by one water meter, including, but not limited to mechanical rooms, storage rooms, exit facilities, recreational areas, parking lots, sidewalks and other public spaces within or connected to the building.

New rental dwelling means any structure, building or other facility promised and/or leased to a residential tenant or tenants for use as a home, residence or sleeping unit which has never been occupied and excluding any addition or modification of an existing structure. This definition includes, but without limitation, multiple-family dwellings, apartment units, boardinghouses, rooming houses, hotels, motels, flats and rented or leased mobile home units.

Rental unit means any one area, room, structure, flat, apartment, mobile home unit or facility of a rental dwelling that is being leased or rented to only one tenant, group of tenants or family under one lease.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-303. Registration of rental dwelling and units.

The owner of any rental dwelling or rental unit shall register each rental dwelling with the city and shall designate a person, as defined in section 5-306, as the responsible local agent who shall be legally responsible for operating the registered rental dwelling or rental unit and shall also be responsible for providing access to such premises for making the inspections necessary to insure compliance with the terms of this article and all applicable codes and ordinances adopted by the City of Melvindale and applicable state statutes. Each responsible local agent shall maintain a current list of the number of occupants of each rental unit for which he/she is responsible, as defined in section 5-304. A "certificate of compliance" shall not be issued if the registration provisions of this article are not complied with.

(1) A registry of owners and premises shall be maintained by the building department. Such registry will be kept as a public record and shall be available for public inspection.

(2) Any change in address of owner, agent or representative shall be noted in the registry within 30 days of any change by said owner, agent or representative.

(3) If any rental dwelling is sold (including by land contract or leased with option to purchase) in the City of Melvindale, it shall be the obligation of the seller to notify the building department within 30 days of the sale. Seller shall provide the name and address of the purchaser, and the information shall be noted in the registry.

(4) Any person failing to register within ten days of purchasing a rental dwelling with the building department as required by the section shall be charged an additional $25.00 for each property unregistered. Said $25.00 will be payable. at the time of registration. Failure to register notices may be sent to the Melvindale Police Bureau for legal processing.

(Ord. No. 546, § 1, 5-1-96)

Sec. 5-304. Registration forms and fees.

(a) Applications for registration shall be made in such form and in accordance with such instructions as may be provided by the building department and shall include at least the following information.

(1) The name and address of applicant.

(2) The names and addresses of all owners of the rental dwelling.

(3) The name, local address and telephone number of the responsible local agent.

(4) The number of rental units in each rental dwelling.

(5) The authorization appointing a responsible local agent signed by both the owner and the responsible local agent.

(6) The name, address and apartment number, where applicable for each rental dwelling and rental unit occupied. It will be the responsibility of the owner/or responsible local agent to notify the building department shall inform applicants of certificate of compliance requirements.

Sec. 5-303. Registration of rental dwelling and units.

The owner of any rental dwelling or rental unit shall register each rental dwelling with the city and shall designate a person, as defined in section 5-306, as the responsible local agent who shall be legally responsible for operating the registered rental dwelling or rental unit and shall also be responsible for providing access to such premises for making the inspections necessary to insure compliance with the terms of this article and all applicable codes and ordinances adopted by the City of Melvindale and applicable state statutes. Each responsible local agent shall maintain a current list of the number of occupants of each rental unit for which he/she is responsible, as defined in section 5-304. A "certificate of compliance" shall not be issued if the registration provisions of this article are not complied with.

(1) A registry of owners and premises shall be maintained by the building department. Such registry will be kept as a public record and shall be available for public inspection.

(2) Any change in address of owner, agent or representative shall be noted in the registry within 30 days of any change by said owner, agent or representative.

(3) If any rental dwelling is sold (including by land contract or leased with option to purchase) in the City of Melvindale, it shall be the obligation of the seller to notify the building department within 30 days of the sale. Seller shall provide the name and address of the purchaser, and the information shall be noted in the registry.

(4) Any person failing to register within ten days of purchasing a rental dwelling with the building department as required by the section shall be charged an additional $25.00 for each property unregistered. Said $25.00 will be payable. at the time of registration. Failure to register notices may be sent to the Melvindale Police Bureau for legal processing.

(Ord. No. 546, § 1, 5-1-96)

Sec. 5-304. Registration forms and fees.

(a) Applications for registration shall be made in such form and in accordance with such instructions as may be provided by the building department and shall include at least the following information.

(1) The name and address of applicant.

(2) The names and addresses of all owners of the rental dwelling.

(3) The name, local address and telephone number of the responsible local agent.

(4) The number of rental units in each rental dwelling.

(5) The authorization appointing a responsible local agent signed by both the owner and the responsible local agent.

(6) The name, address and apartment number, where applicable for each rental dwelling and rental unit occupied. It will be the responsibility of the owner/or responsible local agent to notify the building department shall inform applicants of certificate of compliance requirements.

(b) The fee of $25.00 for each rental dwelling registered and $2.00 per rental unit contained herein shall be paid at the time of registration. No post office boxes will be accepted as a legal address. Upon registration, the building department shall inform applicants of certificate of compliance requirements.

(Ord. No. 546, § 1, 5-1-96)

Sec. 5-305. Registration term and renewal.

Registration shall be made within 90 days of the enactment of this article. The term of the registration shall be valid as long as the owner remains unchanged. In the event of a transfer of ownership, the registration and any certificate of compliance shall expire and no longer be valid. Any new owner shall register in accordance with section 5-303, and make application for a certificate of compliance for each rental dwelling and rental unit within ten days of the date of transfer to a new owner.

(Ord. No. 546, § 1, 5-1-96)

Sec. 5-306. Responsible local agent.

The responsible local agent shall be a person or representative of a corporation, partnership, firm, joint venture, trust, association, organization or other entity, having his or her place of residence in the County of Wayne, and shall be designated by the owner as responsible for operating such premises in compliance with all the provisions of the City of Melvindale Codes and Ordinances and applicable state statutes. The owner may act as the responsible local agent, provided he/she resides in the County of Wayne. All official notices of the city may be issued to the responsible local agent, and any notice so issued shall be deemed to have been issued upon the owner of record.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-307. Transfer of ownership.

It shall be unlawful for the owner of any rental dwelling or rental unit who has received a notice of violation to transfer, convey, lease or sell (including by land contract) his/her ownership and/or interest in any way to another, unless such owner shall have first furnished to the grantee, lessee or vendee, or transferee a true copy of any notice of violation and shall have furnished to the building official a signed and notarized statement from the grantee, vendee or lessee, or transferee acknowledging the receipt of such notice of violation.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-308. Inspections.

(a) The supervisor of the building department and/or such other building officials as the supervisor may designate, and/or the chief fire officials and/or his designated representative with regard to the BOCA Fire Code and the NFPA Code, are hereby authorized to make inspections of income property, or a rental dwelling or unit, as defined by this article, occupied or unoccupied, or any other dwelling, as follows:

(1) Within 30 days of registration or notification of a required inspection as reflected by building department records;

(2) Prior to occupation or reoccupation of any rental unit which has been vacated and has outstanding violations in order to establish compliance with all of the minimum building regulations.

(3) The exterior of all vacant property must be inspected and maintained to meet the minimum standards of the BOCA National Existing Structures Code. An owner, agent, representative or tenant shall consent to said inspections to determine the condition of a vacant building or any other dwelling in the City of Melvindale. For the purpose of making such inspections, the building inspector and/or his authorized representative is hereby authorized, upon seven days' notice, to enter and inspect at reasonable times. The owner, agent, representative or tenant shall give the building inspector or his authorized representative free access to the premises, except in the case of emergency, then immediate inspection is permitted.

(4) Inspections shall be conducted in each unit of all multi-rental units every two years. If the most recent inspection of the premises found no violations, the next inspection need not take place for three years. There shall be an inspection fee of $30.00 per unit, payable at the time of inspection.

(5) Inspections shall be conducted annually on all one and two family rental units and on all common or public areas appurtenant to any multi-rental dwelling until a certificate of compliance is obtained after which the inspections will be on a two-year cycle. There shall be an inspection fee of $100.00 for each one family rental unit and each multi-rental common area. There shall be an inspection fee of $150.00 on every two family rental unit dwelling. There shall be an inspection fee of $200.00 on every commercial rental unit that is 1—10,000 square feet. There shall be an inspection fee of $100.00 on each additional 10,000 feet of a commercial rental unit. Said inspection fees are payable at the time of each required inspection.

(b) If upon inspection, the premises or any part thereof are found to be in violation of any provisions of this article or any other applicable Building Codes, Fire Prevention Ordinances, Zoning regulation or other local codes relating to maintenance, the violation shall be recorded by the building department and notice by registered mail given to the owner, agent or representative as such appears in the registry of owners and premises. All listed violations must be corrected within the time allotted by the building department. Proper permits must be obtained by licensed contractors for all repairs requiring a permit. The owners, agent or representative will be notified of the reinspection date to determine if violations are corrected. Failure to have all violations corrected by the reinspection will result in additional reinspection charges being assessed as well as penalties as prescribed in section 5-310, subsections (c) and (d).

(c) The person or persons doing the inspection may require the owner of the property to do one or more of the following:

(1) Provide those performing the inspections access to the leasehold if the lease provides the property owner with a right of entry,

(2) Provide access to areas other than the leasehold or areas open to the public or both,

(3) Notify a tenant of the request for inspection, make a good faith effort to obtain permission for an inspection, and arrange for the inspection. If a tenant vacates the leasehold after the request for an inspection has been made, the property owner shall notify those requesting the inspection of that fact within ten days after the leasehold is vacated.

(4) Provide access to the leasehold if a tenant of that leasehold has made a complaint to the building department or other enforcing agency.

(d) As used in this section, "leasehold" means a private dwelling or separately occupied apartment, suite, or group of rooms in a two-family dwelling or in a multiple dwelling if the private dwelling or separately occupied apartment, suite, or group of rooms is leased to the occupant under the terms of either an oral or written lease.
(Ord. No. 546, § 1, 5-1-96; Ord. No. 586, § 1, 5-6-98; Ord. No. 636, art. I, 5-3-00)

Sec. 5-309. Boarding a residential structure prohibited.

No window, door or other opening in a dwelling or dwelling unit shall be boarded up without specific prior approval of the building department. Boarding of windows, doors or other openings in a dwelling or dwelling unit poses a dangerous situation to owner, tenants or the general public. Such boarding up of a dwelling or dwelling unit will be only for a duration not to exceed two weeks, unless approved in writing for a longer duration by the supervisor of the building department. If boarding up is deemed necessary, the means and material used must be approved by the building department.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-310. Designation of unfit dwelling and legal procedure of condemnation.

(a) The designation of a dwelling or dwelling unit as unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwelling or dwelling units shall be carried out in compliance with the provisions of the Melvindale City Charter, Codes and Ordinances and any applicable State Statute and the following requirements.

(b) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be condemned as unfit for human habitation and shall be so designated and placarded by the health officer or the supervisor of the building department:

(1) One which is so damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested that it creates a serious hazard to the health or safety of the occupants of the premises or the public.

(2) One which lacks illumination, ventilation or sanitation facilities adequate to protect the health and safety of the occupants or the public.

(3) One which because of its general condition or location is unsanitary or otherwise dangerous to the health or safety of the occupants or of the public.

(4) Any dwelling or dwelling unit condemned as unfit for human habitation so designated and placarded by the health officer or the supervisor of the building department shall be vacated within 30 days, or in an emergency, immediately, as ordered by the health officer or supervisor of the building department.

(5) No dwelling or dwelling unit which has been condemned or placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the health officer or the supervisor of the building department. The health officer or the supervisor of the building department shall remove such placard whenever the defect or defects upon which the condemnation and placarding action were based on have been eliminated.

(6) No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided herein.

(7) Any person affected by any notice or order relating to the condemning and placarding of a dwelling or dwelling unit as unfit for human habitation may request and shall be granted a hearing on the matter before the BOCA board of appeals.

(c) Failure to correct violations by reinspection date will result in a $100.00 civil penalty for each violation and may result in criminal prosecution.

(d) Failure to correct violations by a subsequent reinspection date will result in a $300.00 civil penalty for each violation and may result in criminal prosecution.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-311. Certificate of compliance.

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 department of engineering and building in the name of the owner/responsible local agent and issued for the specific rental dwelling and rental unit. The certificate shall be issued after making application with the building department and an inspection by the building/mechanical inspector, electrical inspector, plumbing inspector, police and fire department inspectors to determine that each rental dwelling and rental unit complies with the provisions of the ordinances of the City of Melvindale. For a new rental dwelling, a certificate of compliance shall be issued simultaneously with the certificate of occupancy and shall remain valid for five years. For one- and two-family rental dwelling and common areas of multi rental dwellings, a certificate of compliance is valid for two years. For individual rental units in a multi rental dwelling the certificate of compliance is valid for five years. The certificate of compliance will remain valid for these time periods, provided that the rental dwelling remains in compliance with all applicable codes and ordinances. The supervisor of the building department may revoke a certificate of compliance for a violation of any ordinance, rule or regulation of the City of Melvindale. The initial certificate of compliance must be applied for in accordance with section 5-309 within 30 days of notification.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-312. Certificate of compliance application form and fee.

Applications for certificate of compliance shall be made in such form and in accordance with such instructions as may be provided by the chief code official 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.

(Ord. No. 546, § 1, 5-1-96)

Sec. 5-313. Posting of certificate of compliance.

The following information shall be posted in a conspicuous place, either within each rental dwelling and rental unit or in a common area shared by all occupants of a rental dwelling and rental unit.

(1) A copy of the current certificate of compliance.

(2) The name, address and telephone number of the responsible local agent.

(Ord. No. 546, § 1, 5-1-96)

Sec. 5-314. Authority for city inspectors to issue appearance tickets.

(a) The chief code official, the building inspector, electrical inspector, plumbing inspector, mechanical inspector, fire inspector and ordinance officials shall have authority to issue appearance tickets with respect to the following class of offenses when said persons are assigned as part of their employment duties to conduct an investigation concerning any of these enumerated offenses:

(1) Nuisance offenses.

(2) All code enforcement, including but without limitation, the following:

a. Electrical Code violations.

b. Plumbing Code violations.

c. Mechanical Code violations.

d. Building Code violations.

e. Fire Prevention Code violations.

f. Housing Code violations.

g. Rental dwelling violations.

(3) All ordinances involving the maintenance and upkeep of public or private property, including all ordinances concerning garbage, weeds and fences.

(b) The persons listed in paragraph (a) above, may issue and serve upon a person an appearance ticket if they have reasonable cause to believe that a person or legal entity has committed an offense within the class of offenses described in this article.

(Ord. No. 546, § 1, 5-1-96)

Sec. 5-315. Penalty.

Any owner of a rental dwelling or rental unit who shall fail to register his/her rental dwelling and rental units or who shall fail to obtain a certificate of compliance for each of his rental dwellings and rental units shall be guilty of a misdemeanor. Any owner who fails to comply with any of the requirements of this article shall be guilty of a misdemeanor. Upon conviction under this section, the owner shall be punished by a fine of not more than $500.00 or imprisonment for not more than 90 days, or by both such fine and imprisonment. Each day a violation exists shall constitute a separate offense. Each violation for each rental dwelling and rental unit shall constitute a separate offense.

(Ord. No. 546, § 1, 5-1-96)

Sec. 5-316. Lien against property: awards or fines for transferring without honoring lien.

(a) If any owner fails to pay any fees, penalties, or civil infraction awards required by this article, then the amount due shall accrue interest at the rate of 24 percent per annum or, if 24 percent is deemed invalid for any reason, the highest amount allowable by law, from the date when it becomes due and shall be filed with the City of Melvindale Assessor's Office and shall be collected in the manner fixed by law for the collection of taxes and assessments.

(b) All criminal fines and/or civil infractions which are awarded in favor of the city and assessed against the owner and/or agent also be assessed against the property in any way allowed by this article or any other law.

(c) It shall be a civil infraction and a misdemeanor for any owner, any seller or seller's agent, any buyer or buyer's agent, an attorney, a real estate broker, a real estate agent, a real estate title company, a mortgagor or any other entity involved in a closing of a transaction to close a transaction involving the sale of a property on which a recorded lien exists. The amount of the civil infraction and/or fine shall be double the amount of the lien. The lien amount shall include: the principal amount of the lien; interest at the rate of 24 percent per annum or, if 24 percent is

deemed invalid for any reason, the highest rate allowed by law; reasonable attorney fees and administrative fees for perfecting the lien; and other related expenses arising out of the violations of this article. Said lien amount shall then be doubled.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-317. Civil infraction.

Any owner who fails to comply with any of the requirements of this article shall be responsible for a civil infraction. The district court judge shall assess damages in favor of the city for the civil infraction which shall include: up to $500.00 for each day a violation exists; estimated enforcement costs including reasonable attorney fees; and any other damages allowed at law under this article.
(Ord. No. 546, § 1, 5-1-96)

Sec. 5-318. Civil infraction; personal liability.

If an owner and/or his agent knowingly fails to comply with this article, he shall be deemed in violation of this article and shall be subject to in personam liability for any civil infraction. In personam liability means that the owner or agent is personally liable for the amount of the civil infraction. The city may use any collection remedy available at law to enforce the civil infraction judgment including garnishment, attachment, foreclosure or any other remedies.
(Ord. No. 546, § 1, 5-1-96)