

**VILLAGE OF KALEVA  
MANISTEE COUNTY  
Ordinance No. 51**

**AN ORDINANCE TO ESTABLISH MINIMUM STANDARDS FOR RENTAL DWELLINGS IN THE VILLAGE OF KALEVA; TO AUTHORIZE INSPECTIONS OF SUCH DWELLINGS; TO ESTABLISH DUTIES AND RESPONSIBILITIES OF LANDLORDS AND OCCUPANTS; TO PROVIDE FOR REGISTRATION OF RENTAL DWELLINGS; TO REQUIRE CERTIFICATES OF COMPLIANCE; TO FIX PENALTIES FOR VIOLATIONS AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH**

**THE VILLAGE OF KALEVA ORDAINS:**

**Section 1. PURPOSES**

The purposes of this ordinance are to establish minimum standards for dwellings offered for rent or lease, to authorize inspections of such dwellings, to fix certain responsibilities and duties of landlords and occupants essential to make such dwellings safe, sanitary and fit for human habitation, provide for registration with the Rental Property Inspector, to require a certificate of compliance issued by the Rental Property Inspector and to fix penalties for violations of this ordinance.

**Section 2. DEFINITIONS**

As used in this ordinance:

- A. "Certificate of Compliance" means a document issued by the inspector stating the dwelling has passed inspection and complies with local codes and requirements.
- B. "Dwelling" means any house, room or apartment which is wholly or partly used or intended to be used for living, sleeping, cooking and eating. Hotels, motels or overnight rooms designed and marketed for transient use shall not be defined as a dwelling for purposes of this ordinance.
- C. "Fee" means a fee determined from time to time by Village Council resolution that shall be charged each time the inspector makes an on-site inspection of any dwelling that comes within the meaning of this ordinance.
- D. "Landlord" means any person, firm, partnership, association, corporation, company or organization of any kind offering for rent or lease any dwelling within the Village.
- E. "Registration Certificate" means the document issued by the inspector which is required for every dwelling within the Village offered for rent or lease.
- F. "Inspector" or "Rental Property Inspector" means the Village official charged with inspecting dwellings used for rental purposes and enforcing the provisions of this ordinance.
- G. "Village" means the Village of Kaleva.

### **Section 3. MINIMUM STANDARDS FOR RENTAL PROPERTY**

The minimum standards for rental property maintenance shall be those contained in the International Property Maintenance Code as adopted in Ordinance No. 50 of the Village.

### **Section 4. REGISTRATION OF RENTAL DWELLINGS**

- A. All rental dwellings shall be registered with the Village by the owner.
- B. All rental dwellings existing as of the effective date of this ordinance shall be registered no later than July 31, 2016.
- C. The owner of a new rental dwelling or of any dwelling newly converted to a rental dwelling shall register the rental dwelling prior to allowing occupancy of any new units.
- D. The owner of rental dwellings already registered with the Village shall re-register within sixty (60) days after any change occurs in registration information. A new owner of a registered dwelling shall re-register the dwelling within sixty (60) days of assuming ownership.
- E. Failure of the landlord to register his or her rented or leased dwelling is a violation of this ordinance.

### **Section 5. INSPECTIONS BY RENTAL PROPERTY INSPECTOR PRIOR TO PERMIT ISSUANCE**

- A. The Rental Property Inspector or his or her agent, shall make the necessary inspections required for the purpose of enforcing this ordinance. The Inspector shall determine if the dwelling meets the minimum standards set forth in Ordinance No. 50 [the property maintenance code referred to in Section 3 above.]. If, after inspection, the Inspector finds that the dwelling cannot meet the minimum standards, such Inspector shall so advise the landlord, in writing, of what corrections must be made before a Certificate of Compliance can be issued.
- B. Inspections will be conducted on a three year cycle with the Village being divided into three geographical areas. Each area will have rental dwellings inspected for compliance every third year.
- C. The Rental Property Inspector shall establish an Inspection Schedule. Notice shall be mailed to each rental dwelling owner at least 14 days prior to scheduled inspection. It shall be the responsibility of the owner to notify and make arrangements with the tenant. If the inspection as scheduled creates undo hardship, the inspection can be rescheduled by notifying the Rental Property Inspector at least 48 hour prior to scheduled inspection.
- D. After the first year of inspections all units within the first geographical area must have certificates of compliance prior to occupancy of a rental dwelling. After the second year all units within the first and second geographical area must have certificates of compliance prior to occupancy of a rental dwelling.

- E. Effective three years after the effective date of this ordinance all rental dwellings within the Village shall have certificates of compliance prior to occupancy of a rental dwelling.
- F. Nothing in this ordinance shall prevent the Rental Property Inspector from making additional inspections either based upon complaints, referrals from other governmental agencies, or otherwise, to enforce the Property Maintenance Code or other applicable laws, ordinances, or regulations." In the event that the Rental Property Inspector finds violations of the Property Maintenance Code, the Inspector shall make re-inspections to ensure compliance with the Property Maintenance Code.

**Section 6. FEES**

There shall be imposed pursuant to this ordinance various Fees, as established from time to time by the Village Council by resolution which Fee Schedule is incorporated herein by reference.

**Section 7. PENALTY**

Whoever violates any provision of this ordinance is guilty of a municipal civil infraction and enforced through the 85<sup>th</sup> Judicial District Court in Manistee County. The Rental Property Inspector or Zoning Administrator of the Village, and any police officer authorized to act in Manistee County are hereby designated as the authorized local officials to issue civil infraction citations. Any person who violates any provision of this ordinance shall be guilty of a civil infraction and subject to a fine of up to \$500.00 for each violation. Any person who violates this ordinance will be ticketed by an authorized local official and required to appear in the 85th Judicial District Court.

**Section 9. EFFECTIVE DATE**

This ordinance shall be effective on the thirty first (31<sup>st</sup>) day following its adoption and publication as required by law.

**Section 10. REPEALER**

All ordinances or parts of ordinances in conflict herewith are hereby repealed but only to the extent of the conflict.

THOSE VOTING IN FAVOR: D. Holtz, D. Peters, J. Drazo, T. Covell, R. Schafer

THOSE VOTING AGAINST: none

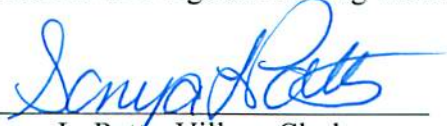
THOSE ABSENT OR ABSTAINING: D. Grossnickle, Jack McKinley

ORDINANCE DECLARED PASSED

  
\_\_\_\_\_  
Sonya L. Potts, Village Clerk

CERTIFICATION

The undersigned Village Clerk hereby certifies that the foregoing is a true and correct copy of the ordinance adopted by the Village Council of the Village of Kaleva at a regular meeting thereof held on the 16<sup>th</sup> day of May, 2016.



---

Sonya L. Potts, Village Clerk