

## NOTICE OF ADOPTION OF LAKETOWN TOWNSHIP ORDINANCE

PLEASE TAKE NOTICE that the following Ordinance was adopted at the Laketown Township Board meeting held on September 9, 2020.

PLEASE TAKE FURTHER NOTICE that the Ordinance is given effect thirty days after publication.

PLEASE TAKE FURTHER NOTICE that a copy of the Ordinance is attached as Exhibit A and may be purchased or inspected by any person at the Township Hall of the Township of Laketown, 4338 Beeline Road, Holland, Michigan 49423 (Telephone:(616) 335-3050) on any day Monday through Friday, except holidays, between the hours of 7:30 a.m. and 5:00 p.m.

Dated September 16, 2020  
Michelle Sall, Clerk  
Laketown Township

### EXHIBIT A ORDINANCE NO. 199 FIRST RENTAL UNIT PARTIAL AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND PORTIONS OF ARTICLE III OF CHAPTER 10 OF THE CODE OF ORDINANCES FOR LAKETOWN TOWNSHIP, ALLEGAN COUNTY, MICHIGAN, ADDRESSING RENTAL UNITS.

THE TOWNSHIP OF LAKETOWN, COUNTY OF ALLEGAN, STATE OF MICHIGAN ORDAINS:

Section 1. Section 10-51 and Section 10-52 of Article III of Chapter 10 of the Laketown Township Code of Ordinances shall be restated in their entirety as follows.

Sec. 10-51. Certificate of compliance.

(a) Certificate. No person shall own, operate, lease, rent, or occupy a rental unit unless there is a valid certificate of compliance issued by the township board or its designee. The certificate of compliance shall be issued in the name of the owner and issued for the specific rental unit. The certificate of compliance shall be required for each building containing a rental unit.

(b) Requirements. The certificate of compliance shall be issued only when:

(1) The rental unit has been registered with the township;

(2) The rental unit passes the initial inspection and any subsequently required inspections (as described below); and

(c) The following information shall be posted in a conspicuous place either within each rental unit or in a common area shared by all occupants of a building with multiple rental units:

(1) A copy of the current certificate of compliance; and

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

(d) Revocation. If a violation of this article is determined, the township board or its designee may revoke the certificate of compliance.

(e) Appeal of denial of registration or revocation. Any owner whose rental unit registration has been denied or whose certificate of compliance has been revoked may file an appeal to the township board, if the denial or revocation was by a designee of the township board. If the denial or revocation was by the township board, an appeal may be made to the township zoning board of appeals. The appeal must be filed with the township within 14 calendar days of the denial or revocation.

(f) Vacation or fine for revocation.

(1) Upon revocation of a certificate of compliance and the completion of any appeal, if the rental unit is deemed unfit for human habitation, the rental unit shall immediately be vacated. No person shall thereafter occupy the rental unit for sleeping or living purposes until it complies with this article.

(2) When a rental unit is found to be in violation of the provisions of the ordinances adopted by the township but determined to be habitable, a vacation order shall not be entered. However, the certificate of compliance shall be deemed expired and the rental unit shall be in violation of the terms of this article.

(g) Expiration. A certificate of compliance shall expire two years after issuance.

(h) Notification of expired certificate. At least 60 days after expiration of a certificate of compliance, the township may issue a notice of expired certificate to the owner and to the occupant of the rental unit. A placard containing the required notice shall be posted on the rental unit and may not be removed until a new certificate of compliance is issued. The notice shall state that:

(1) The rental unit does not have a valid certificate of compliance;

(2) It is unlawful for any vacant rental unit to be reoccupied or rented; and

(3) Current tenants may be entitled to escrow rent moneys as provided for under state law.

(i) Renewal. At least 30 days prior to the expiration of a certificate of compliance, the township shall notify the owner to renew the certificate of compliance, and the owner must so renew before the existing certificate of compliance expires.

(j) Provisional. In accord with the procedures in this section, the township may issue a provisional certificate for a rental unit that does not meet the requirements of Section 10-52. In that event, the township shall give the owner of the rental unit a list of the improvements that must be made to the rental unit during the two years of the provisional certificate, in order for a certificate to be obtained in accordance with subsection (i) above.

Sec. 10-52. Rental unit and occupant requirements.

All rental units shall comply with the following minimum requirements.

(a) Every bedroom and a common area on every floor in a rental unit shall have an operational smoke alarm that is tested at least every 90 days to ensure that it remains operational. Every floor in a rental unit shall have at least one operational carbon monoxide detector that is tested at least every 90 days to ensure that it remains operational.

(b) Every rental unit shall have a working fire extinguisher on every occupied floor. Each fire extinguisher shall have a 2A10BC minimum rating (or such other minimum rating which is established from time to time), and shall be mounted on an approved hanger within the egress path on each occupied floor of the rental unit.

(c) (1) Every rental unit shall satisfy all applicable requirements of the applicable building code, including without limitation free and clear exits, handrails, etc. (2) Every habitable space in a rental unit shall comply with the requirements of the International Property Maintenance Code, as adopted by the Township, and the Michigan Residential Code regarding the sizes of windows and their use as a means of egress. Per the 2015 Michigan Residential Code, emergency and escape rescue openings shall have a net clear opening of not less than 5.7 square feet; the net clear height shall be not less than 24 inches and the net clear width shall be not less than 20 inches (these requirements shall be adjusted automatically to comply with future revisions to the Michigan Residential Code or any future applicable code).

(d) Every rental unit shall have at least one hard-surface off-street parking space for every two bedrooms, and in any event shall have enough hard-surface off-street parking spaces to accommodate the vehicles of the occupants of the rental unit. Vehicles shall not be parked in the rental unit's driveway in a manner to prevent emergency vehicle access to the rental unit.

(e) The maximum occupancy of a rental unit shall not exceed two persons per bedroom or the occupancy limits of the International Property Maintenance Code, as adopted by the Township, whichever is greater. No renters or guests at a rental unit may sleep on couches, the floor, in tents, or in trailers on the real property hosting the rental unit. In any event, the occupancy of a rental unit may not exceed 16 persons unless a special use is approved by the Planning Commission per Chapter 38 of this Code, and that special use specifically allows greater occupancy subject to any appropriate conditions established by the Planning Commission.

(f) Every rental unit shall have adequate trash receptacles and a contract in effect with a waste hauler licensed to operate in the township.

(g) Every rental unit shall be insured as a commercially rented property, with a liability policy of at least \$1,000,000. The Township shall determine the insurance is in place before issuing a certificate of compliance. The rental unit owner shall advise the Township before there is any lapse in the insurance coverage, or immediately thereafter.

(h) Any campfires on the real property hosting the rental unit shall be maintained in designated fire pits and shall comply with the applicable fire code and all applicable township ordinances. Charcoal burners and other open burning cooking devices, including liquefied petroleum gas cooking devices with containments having a water capacity greater than 2.5 pounds, shall not be operated within 10 feet of flammable/combustible materials.

(i) Occupants shall not create a nuisance, including but not limited to the following:

(1) any activity that violates the township's noise ordinance requirements;

(2) any outside noise that is audible at the boundary of the real property hosting the rental unit between 10:00 p.m. and 7 a.m. Sunday through Thursday, and between 11 p.m. and 7:00 a.m. Friday and Saturday; and

(3) any activity that violates any fireworks regulations established by the township.

(j) Every rental unit shall be maintained in a clean, sanitary, and liveable condition.

(k) Every rental unit shall have its street address prominently displayed to assist any emergency responders to the rental unit. The address numbers shall be visible from the accessing road, at least four inches tall, with contrasting colors or on a green address sign.

(l) Fire safety plans shall be posted on each floor level of every rental unit adjacent to the main egress travel path and shall include the following information:

(1) The procedure for reporting a fire or other emergency. (ie: Call 911, there is a fire at 123 Main St. or there is a medical emergency at 123 Main St.);

(2) Current address and location of the rental unit;

(3) Floor plans identifying the locations of the following:

(i) Exits;

(ii) Primary evacuation routes;

(iii) Secondary evacuation routes;

(iv) Portable fire extinguishers; and

(4) Identification and assignment of personnel responsible for emergency contact and maintenance of the rental unit (i.e. the responsible local agent).

Section 2. Effective Date. This Ordinance was approved and adopted by the Township Board of Laketown Township, Allegan County, on September 9, 2020. This Ordinance shall be effective on October 16, 2020, which is 30 days after publication.

Linda S. Howell,  
Township Supervisor

Michelle Sall,  
Township Clerk