

**VILLAGE OF DECATUR  
VAN BUREN COUNTY, MICHIGAN**

**ORDINANCE NO. 2024-001 - B**

**AN ORDINANCE TO AMEND CHAPTER 8, ARTICLE IV OF THE VILLAGE OF  
DECATUR CODE OF ORDINANCES TO AMEND DEFINITIONS AND REGULATIONS  
PERTAINING TO RESIDENTIAL RENTAL UNITS**

The Village of Decatur ordains:

Section 1. Amendment. Chapter 8, Article IV of the Village Code is amended to read in its entirety as follows:

**Article IV  
Rental Dwelling Units**

**Sec. 8-83. Title**

This article shall be known and may be cited as the Village of Decatur Rental Housing Licensing Ordinance.

**Sec. 8-84. Definitions.**

The following definitions shall apply to the terms used in the provisions of this article:

- A. AGENT. For the purposes of this article, the responsible local agent shall be an individual person who represents the owner and must have a place of residence in the state within 50 miles of the Village limits. The responsible local agent shall be designated by the owner as legally responsible for operating such premises in compliance with all the provisions of the Village codes and Ordinances. An owner may act as the responsible local agent, provided he or she resides in the state and within 50 miles of the Village limits. All official notices of the Village may be issued to the responsible local agent, and any notice so issued shall be deemed to have been issued upon the owner.
- B. BUILDING OFFICIAL. The building official of the Village or his or her authorized representative charged with the administration and enforcement of the building code.
- C. BOARDING HOUSE. A residential facility or building that offers lodging and boarding with shared common areas such as bathrooms and kitchens, to multiple individuals.
- D. GROUP HOMES. A residential facility or building that provides a structured living environment for individuals who require specialized or supportive housing services. These residents may include but are not limited to individuals with disabilities, elderly persons, or those receiving rehabilitative care.
- E. CODE. The International Property Maintenance Code, published by the International Code Council, Inc., or any other property maintenance code subsequently adopted by the Village Council of the Village of Decatur, Michigan.
- F. DWELLING UNIT. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. A dwelling unit for the purpose of this article shall also include the individual sleeping rooms or group of rooms in an apartment building, group home, boarding house, or other similar residential facility. Each room or group of rooms so occupied or to be occupied shall constitute a separate dwelling unit. For purposes of this article, dwelling unit does not include hospitals, nursing homes, convalescent homes, or hotels or motels licensed and inspected by the State of Michigan.
- G. RESIDENTIAL RENTAL UNIT. Any non-owner occupied dwelling unit, or any dwelling unit or part thereof that is occupied pursuant to an oral or written rental or lease agreement or other valuable

compensation for the purpose of residing therein.

- H. OWNER. For purposes of this article, owner means an individual or legal entity holding title to a dwelling unit. This includes but is not limited to corporations, limited liability companies, partnerships, trusts, and other similar legal entities. It also encompasses the principals, managers, directors, trustees, or personal representatives within those entities who exercise control or management over the property.

**Sec. 8-85. Purpose.**

The purpose of this Ordinance is to protect, preserve and promote the public health, safety and general welfare of the residents of the Village of Decatur, Michigan, and inhabitants in residential rental units; and to encourage the maintenance of residential rental units by requiring the licensure and inspection of same to insure compliance of said residential rental units with any property maintenance or existing structures code in effect and adopted by the Village of Decatur, Michigan at the time of said inspection. This Ordinance is adopted pursuant to the authority provided in MCL 125.525 et seq.

**Sec. 8-86. License Required.**

- A. An owner or agent shall not allow a dwelling unit to be used as a residential rental unit without first obtaining a license as provided under the provisions of this article. The registration fee shall be due at the time of registration or by July 1st of each year after the unit has been registered.
- B. Application for such licenses shall be made on forms provided by the Village of Decatur, Michigan, which shall include the following information:
1. The address of the parcel of land upon which a residential rental unit is located, and its property tax identification number.
  2. The name, address, and telephone number of the owner of such dwelling unit.
  3. The name, address and telephone number of the local agent or manager charged with collecting rent and/or maintaining the residential rental unit.
  4. The number and types of units within the building in which the residential rental unit is located (dwelling units or sleeping rooms).
  5. Name(s) of current tenant.
- C. Residential rental units required to be licensed pursuant to this article shall comply with the following:
1. All owners and/or agents of existing residential rental units shall file the Annual Rental Registration Form by July 1st of each year.
  2. All newly constructed residential rental units shall be licensed prior to the issuance of the certificate of occupancy by the Village.
  3. It shall be the responsibility of the owners and/or agents of existing rental units to notify the Village of Decatur and Building Official when a change in occupancy and or use occurs. Upon notification of such change in occupancy and or use occurs, the Building Official reserves the right to reinspect the existing rental as deemed necessary.
  4. A residential rental unit which is sold, transferred, or conveyed shall be relicensed by the new owner within 30 days of the date of the deed, land contract, or other instrument of conveyance with the Village. All documents of conveyance, including land contracts, shall be recorded with the Van Buren County Register of Deeds Office and a copy of the same or a memorandum of land contract shall be provided to the Village.
  5. All existing nonrental dwellings which are converted to residential rental units shall be licensed,

inspected, and certified prior to the date on which the property is first occupied as a residential rental unit.

- D. Rental inspections shall be schedule on a biennial basis (every two (2) years). The 2-year time period shall start once the residential rental unit has passed the first inspection (subject to issued certificate of compliance) after the date of this article. The Building Official also reserves the right to extend the biennial inspection time period with prior approval from the Village of Decatur.

**Sec. 8-87. Compliance With Ordinances.**

No license to operate a rental unit shall be issued unless the residential rental unit complies with all the ordinances and codes of the Village.

**Sec. 8-88. Inspections.**

Residential rental units shall be inspected to ensure compliance of said residential rental units with the International Property Maintenance Code, or any other property maintenance code subsequently adopted by the Village Council of the Village of Decatur, Michigan, or any rules, regulations, laws, or housing codes of the State of Michigan. Where six (6) or fewer residential rental units exist upon any given parcel, same shall be inspected by the Building Official bi-annually. Where more than six (6) residential rental units exist upon any given parcel a minimum of seven (7) dwelling units, plus ten percent (10%) of the dwelling units over six (6), shall be inspected by the Building Official every year. For regular scheduled inspections as hereinbefore provided, the Building Official shall give written notice of the date and time of said inspection to the owner or local agent, mailed by first class mail, on or before ten (10) days prior to said inspection date. In addition, said Building Official shall inspect residential rental units, upon reasonable notice as required in any property maintenance code adopted by the Village Council of the Village of Decatur, under any of the following circumstances:

- A. Upon receipt of a written, executed, and dated complaint based upon the personal knowledge of an owner, occupant, or other individual, that the premises are in violation of this article.
- B. Upon receipt of a written report or complaint, or a referral from the police department, or other public agencies or departments, indicating that the premises is in violation of this article.
- C. If an exterior survey of the parcel gives the Building Official probable cause to believe that the residential rental units are in violation of this article.
- D. Upon receipt of information by the Building Official that a residential rental unit is not registered with the Village of Decatur, Michigan as required by this article.

**Sec. 8-89. Issuance of Certificate of Compliance.**

After the initial inspection, if the residential rental unit is found to be in compliance with the rules, regulations, laws, and ordinances of the Village of Decatur, Michigan, and/or the State of Michigan, the Building Official shall issue a Certificate of Compliance in the name of the owner.

**Sec. 8-90. Procedure Where Inspection Discloses Violations.**

- A. Where an inspection by the Building Official discloses a violation of the International Property Maintenance Code or any other property maintenance code adopted by the Village Council of the Village of Decatur, Michigan, or the rules, regulations and laws or housing codes of the State of Michigan, the Building Official shall issue all necessary notices as provided in said code(s) to ensure compliance with said code's requirements.
- B. A temporary Certificate of Compliance may be issued when any violation does not constitute a hazard to the health or safety of those who may occupy the premises. Said temporary Certificate of

Compliance may be revoked by the Building Official if the owner or his agent fails to correct the noted violation(s).

- C. No residential rental unit shall be occupied unless a Certificate of Compliance has been issued by the Building Official.
- D. In the event the owner or his agent is in the process of evicting an occupant and/or tenant from a residential rental unit which is in violation of the aforesaid article, then and in such an event, the owner thereof shall have a reasonable time to correct said violation after the eviction is completed, and said owner or his agent shall promptly notify the Building Official of the completion of said eviction.

**Sec. 8-91. Fees.**

Rental unit registration and inspection rates and charges shall be as set by resolution of the Village Council from time to time. The owner shall be responsible for notifying the Village of any change of address of either the owner or the responsible local agent.

- A. In the event that an occupant of a residential rental unit or a private individual shall make a written complaint concerning a violation at a residential rental unit, the Village of Decatur, at its discretion, may require an inspection deposit in the amount of the anticipated inspection fee from said occupant or private individual. If the inspection, which was made as a result of said complaint, discloses no legitimate violation, then and in such an event the individual making such complaint shall be liable to the Village of Decatur for the aforesaid inspection fee, and said deposit shall be applied thereto, otherwise said deposit shall be refunded.
- B. The Village of Decatur shall not release any information regarding the name address, or telephone number of any person who makes a written complaint concerning a violation at a residential rental unit, except: (a) by consent of the complainant; (b) pursuant to the Freedom of Information Act; or (c) by Court Order.

**Sec. 8-92. Violations.**

It shall be unlawful for a person to operate, maintain, or offer for occupancy, a residential dwelling unit in violation of this article. A person who violates this article shall be responsible for a municipal civil infraction, subject to payment of a civil fine not exceeding \$500.00, plus costs and other sanctions authorized under Section 1-7, for each infraction. Each day that a violation continues shall be deemed a separate infraction.

Section 2. Superseding Effect. This ordinance supersedes and replaces Ord. No. 2023-02 in its entirety.

Section 3. Effective Date. This ordinance shall become effective either 20 days after adoption or upon publication, whichever occurs later.

YEAS: Beute, Jackson, Mead Jr, Pachner, Alfrey, Elwaer

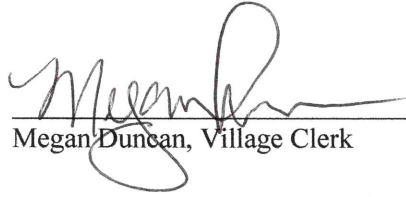
NAYS: None

ABSTAIN: BENSON

ABSENT: None

CERTIFICATION

As the duly appointed Clerk of the Village of Decatur, Van Buren County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Village Council at its meeting of May 6, 2024.

  
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Megan Duncan, Village Clerk