

ORDINANCE NO. 1671

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF SOUTHFIELD BY DELETING EXISTING CHAPTER 100, HOUSING CODE, AND INSERTING IN LIEU THEREOF NEW CHAPTER 100, PROPERTY MAINTENANCE CODE, OF THE CODE OF THE CITY OF SOUTHFIELD,

THE CITY OF SOUTHFIELD ORDAINS:

The Code of the City of Southfield is hereby amended by deleting existing Chapter 100, Housing Code, of Title VIII, Building Regulations, of the Code of the City of Southfield, and be inserting in lieu thereof a new Chapter 100, Property Maintenance Code, which shall read as follows:

SECTION 1

Sec. 8.141 Adoption of code by reference

A certain document, a copy of which is on file in the office of the City Clerk of the City of Southfield, being marked and designated as the *International Property Maintenance Code*, as may hereafter be amended, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Southfield, State of Michigan, for regulating and 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 existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Southfield City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, as set forth in Section 8.143 of this chapter.

Sec, 8.142 Code on file

A complete printed copy of the International Property Maintenance Code, herein adopted, is available for public inspection at the office of the City Clerk.

Sec. 8.143 Revisions to code

The following sections of the International Property Maintenance Code are hereby revised as hereafter set forth. Subsequent section numbers used in this Chapter shall refer to the like numbered sections of the International Property Maintenance Code, as adopted in this chapter.

(a) **Section 101.1 Title**, is revised to read as follows:

These regulations shall be known as the *International Property Maintenance Code* of the City of Southfield, hereinafter referred to as “this code”.

(b) **Section 103.5 Fees**, is revised to read as follows:

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in Chapter 101, Permit, Inspection and Appeal Fees, of the City Code.

(c) **Section 112.4 Failure to comply**, is revised to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a civil fine as set forth in Chapter 15, Municipal Civil Infractions, of the City Code.

(d) **Section 302.4 Weeds**, is revised to read as follows:

Premises and exterior property shall be maintained free from noxious weeds and weeds in excess of twelve (12) inches in height, in accordance with Section 9.41 of the City Code, or grass in excess of eight (8) inches in height, except a “natural lawn” as defined and regulated pursuant to Section 9.50B of the City Code. Noxious weeds as defined in Section 9.41 of the City Code are prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of the notice identified in Section 9.50B (3) or (4), the department of public service shall have such remedies as set forth in Section 9.50B.

(e) **Section 304.14 Insect screens**, is revised to read as follows:

During the period from April 1st to December 1st, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(f) **Section 602.3 Heat supply**, is revised to read as follows:

Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1st to May 15th to maintain a minimum temperature of 68 degrees F (20 degrees C) to all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30 degrees F (-1 degrees C), a minimum temperature of 65 degrees F (18 degrees C) shall be maintained.

(g) **Section 602.4 Occupiable work spaces**, is revised to read as follows:

Indoor occupiable work spaces shall be supplied with heat during the period from October 1st to May 15th to maintain a minimum temperature of 65 degrees F (18 degrees C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Sec. 8.144 Neighborhood Enterprise Zone – Inspection Required

(a) Before the sale of a new facility or rehabilitated facility (each as defined within the Michigan Neighborhood Enterprise Zone Act, P.A. 1992, No. 147 (the “Act”), or a unit situated therein, for which a neighborhood enterprise zone certificate is in effect, an inspection by the City shall be requested by the owner, as defined within the Act, and made to determine compliance with the requirements of Chapter 100.

(b) No sale of any new facility or rehabilitated facility, or any unit situated therein, for which a neighborhood enterprise zone certificate is in effect may be finalized until there is compliance with the requirements and provisions of Chapter 100, and a certificate of compliance attesting to such compliance is issued by the Building Official, or his/her designee.

(c) A certificate of compliance shall be issued only after the new facility or rehabilitated facility has been inspected and meets the requirements of Chapter 100. An inspection report shall be completed by the Building Official, or his/her designee, after the inspection is completed. The report shall note all violations found in the facility. Before a certificate of compliance is issued, all violations must be corrected and the required inspection fees paid in pursuant to Chapter 101.

(d) After issuance, a certificate of compliance shall only be valid for one sale of a new or rehabilitated facility, or unit situated therein. A new inspection and certificate of compliance shall be required each time a new or rehabilitated facility, or unit situated therein, is sold, for the duration of the neighborhood enterprise zone certificate.

SECTION 2

Should any section, clause, or paragraph of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the Ordinance as a whole or part thereof other than the part declared to be invalid.

SECTION 3

All ordinances or part of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

SECTION 4

Any firm, corporation, or person who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction, and shall be subject to such penalties as are provided in Chapter 15, Section 1.703, of the Southfield City Code.

SECTION 5

This Ordinance shall become effective upon passage and publication.

KENSON J. SIVER, Mayor

NANCY L.M. BANKS, City Clerk

Introduced: February 13, 2017

Enacted: February 27, 2017

Published: March 16, 2017