

VILLAGE OF PINCKNEY

ORDINANCE NO. _____

ORDINANCE AMENDING THE VILLAGE OF PINCKNEY CODE OF
ORDINANCES BY AMENDING TITLE XV, LAND USAGE,
CHAPTER 155, REGISTRATION OF
RESIDENTIAL RENTAL DWELLING UNITS

THE VILLAGE OF PINCKNEY ORDAINS:

Section 1. The Village of Pinckney Code of Ordinances Title XV, *LAND USAGE*, Chapter 155, entitled *REGISTRATION OF RESIDENTIAL RENTAL DWELLING UNITS*; shall have its title amended to *RENTAL HOUSING HEALTH AND SAFETY*; and Village Code Chapter 155 shall be amended in its entirety to read as follows:

§ 155.001. Purpose

The purpose of this Chapter is to protect the public health, safety, and welfare of residents of the Village of Pinckney by:

- A. Establishing minimum standards for rental housing conditions.
- B. Requiring routine inspections and registration of rental residential properties.
- C. Providing a formal complaint process for tenants to report habitability issues.

§ 155.002. Authority / Enabling Law

This Chapter is adopted pursuant to the Michigan Constitution, the Village’s police powers, including without limitation the Village General Law Charter, MCL § 67.1(c), (s), and (z), and applicable state law including, without limitation, the Housing Law of Michigan (MCL 125.401 et seq.) and the landlord covenants of habitability and repair (MCL 554.139). The Village Council hereby adopts by reference the minimum housing and maintenance standards of the Housing Law of Michigan for all rental residential properties within the Village, including private single-family dwellings, 2-family dwellings, and multiple dwellings.

§ 155.003. Definitions.

For the purpose of this Chapter, the following definitions shall apply unless the context indicates or requires a different meaning.

“*Complaint Inspection*” means an inspection triggered by a tenant or other person’s complaint under subsections A, 3-6 of § 155.005 and § 155.008 of this Code Chapter.

“*Dwelling Unit*” means a single unit providing complete and 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 Chapter, shall also include the individual sleeping rooms or group of rooms of an apartment building to be occupied by a person or family. Each room or group of rooms so occupied or to be occupied shall constitute a separate dwelling unit.

“*Emergency Condition*” means a condition posing an immediate threat to life, health, safety, or the security of the premises, including loss of heat, water, electricity, sewage service, fire hazards, or structural failure.

“*Habitability Violation*” includes, but is not limited to:

- A. Lack of safe and operable heating, plumbing, water, or electrical systems;
- B. Structural deterioration or leaks;
- C. Nonfunctional or absent HVAC systems;
- D. Infestation or unsanitary conditions caused by property neglect.

“*Landlord*” means the owner, lessor, or person(s,) firm, or corporation responsible for the management of a rental residential property.

“*Local Agent*” means a person, a real estate holding company, corporation, partnership, or other legal entity who represents the owner, residing or maintaining an office within _____ miles of the Village who is authorized to accept legal notices and arrange repairs on behalf of an owner.

“*Owner*” means any person, agent, operator, firm, or corporation having a legal or equitable interest in the property; or recorded in the official records of the county as holding title to the property; or otherwise having control of the property, including the guardian/conservator of the estate of any person, or the personal representatives of the estate of a deceased individual.

“*Rental Residential Property*” means any building, dwelling unit, or part thereof leased or rented to a tenant for residential occupancy. Rental Residential Property includes, without limitation, single-family dwellings, duplexes, multifamily dwellings, accessory dwelling units, boarding house/rooming house, and rooming units rented for residential occupancy. Rental Residential Property does not include hotels, motels, or other transient lodging, nor facilities licensed and regulated by the State of Michigan as adult foster care, nursing homes, or similar uses.

“*Respond*” means to commence corrective action within the stated time and thereafter diligently pursue completion as soon as reasonably possible.

“*Routine Inspection*” means a periodic inspection conducted for licensing purposes under subsections A, 1-2, and subsection B of § 155.005 of this Code Chapter.

§ 155.004. Minimum Housing Standards

All rental residential properties must meet the following minimum standards:

A. *Heating and Cooling*

1. Furnaces must provide heat of at least 68°F from October 1 to April 30.
2. Air conditioning (if provided) must be in operable condition from May 1 to September 30.

B. *Water and Plumbing*

1. Hot and cold running water must be available in kitchens and bathrooms.

2. Plumbing fixtures must be leak-free and sanitary.
3. Every rental residential property shall have within each apartment or dwelling unit at least one (1) approved sink with running water furnished in sufficient quantity at all times. The owner shall provide proper and suitable tanks, pumps, or other appliances to receive and to distribute an adequate and sufficient supply of such water on each floor in the said dwelling at all times of the year, during all hours of the day and night.

C. *Electrical and Structural*

1. All electrical outlets, wiring, and fixtures must be safe and functional.
2. The structure must be free from leaks, mold, major cracks, or broken windows.

D. *Emergency Maintenance*

Landlords must respond to emergency maintenance issues within:

1. 24 hours for heat, water, sewage, electrical, or life/safety risks.
2. 48 hours for all other emergency condition repairs.

E. *Smoke / Carbon Monoxide Alarms and Egress*

1. Rental residential properties shall maintain operable smoke alarms and carbon monoxide alarms as required by state law and code.
2. Bedrooms shall have safe means of egress and windows/doors that open and close properly.

F. *Repairs and drainage*

1. Every rental residential property and all the parts thereof, including plumbing, heating, ventilating and electrical wiring, shall be kept in good repair by the owner.
2. The roof shall be so maintained as not to leak, and the rainwater shall be drained and conveyed therefrom through proper conduits into the storm sewer system, an approved drainage system, or onto pervious surfaces (lawns, landscaped areas) so water should flow away from the building to avoid dampness in the walls and ceilings and insanitary conditions. The drainage must be consistent with the Village Code Chapter 23, *Stormwater*; the Village's *Technical Standards for Design and Construction*; and with applicable State and County drain and plumbing regulations.
3. The floor of the cellar or lowest floor of every rental residential property shall be free from dampness.

G. *Cleanliness of dwellings.*

1. Every dwelling and every part thereof shall be kept clean and shall also be kept free from any accumulation of dirt, filth, rubbish, garbage, or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected therewith or belonging to the same.
2. The owner of every dwelling shall be responsible for keeping the entire building free from vermin.

3. The owner shall also be responsible for complying with the provisions of this section except that the tenants shall also be responsible for the cleanliness of those parts of the premises that they occupy and control.

H. *Storage of combustible materials*

No rental residential properties, nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health; nor of any combustible article, except under such conditions as may be prescribed by the fire marshal.

I. *Unsafe buildings.*

1. No rental residential property may be located within or be a part of an unsafe building or dangerous building as defined in Section 154.02 of the Village's Code of Ordinances, or as defined by State law at MCL 125.539, as amended.
2. No registration or license under this Chapter shall be granted or renewed for any rental residential property located within or part of such an unsafe or dangerous building, and any previously granted license or registration shall be revoked for any rental residential property found to be located within or part of such an unsafe or dangerous building.

§ 155.005. Rental Residential Property Registration & Licensing

A. Registration Required

1. All owners of residential rental property, or their designated landlord, must register each rental residential property, and each residential dwelling unit contained within a structure, with the Village Clerk.
2. Structures subsequently becoming a residential rental properties shall be registered within thirty (30) days after any part of the premises is offered for occupancy, will be assessed a registration fee, and must obtain a residential rental license and be inspected.
3. In the event a transfer of ownership or sale of residential rental property occurs, or in the event that the number of rental units located on a parcel shall be increased or decreased, the new owner or present owner, respectively, shall be required to re-register with the Village within thirty (30) days after the date of said transfer, sale, or change in the number of residential rental dwelling units. Any additional residential dwellings must obtain a residential rental license and be inspected.

B. Registration must include:

1. Name, address, phone number, and any other means of personal contact of the property owner.
2. Name, address, phone number, and any other means of personal contact of the designated local property manager, if applicable.
3. The street address of the rental residential property.

4. The number and types of units within the rental residential property (dwelling units or sleeping rooms).
 5. The maximum number of occupants permitted for each dwelling unit or sleeping room.
 6. The name, address, and phone number of the person authorized to make or order repairs or services for the property, if the person is different than the owner or local manager.
- C. In the event the residential rental residential structure is a building containing more than one dwelling unit, one registration is required for each residential rental dwelling unit, even though multiple dwelling units occupied by multiple individuals may be contained within the building. This registration shall include the exterior and interior common areas in multifamily structures and duplex structures.
- D. Registration shall be submitted on a Village form and accompanied by a registration fee established by resolution of the Village Council.
- E. License Required
1. Upon registration, each rental residential property, and each residential dwelling unit within a residential property, shall be scheduled for a property inspection to ensure compliance of each rental dwelling unit with the minimum housing standards established by this Chapter and as may apply from State or County established housing and building standards.
 2. After each initial inspection, if the rental residential dwelling unit is found to be in compliance with the rules, regulations, laws, codes, and Village ordinances, the Village shall issue a rental license in the name of the owner. Residential rental licenses shall be valid for a duration of two (2) years from the date of issuance by the Village.
 3. No rental residential property may be occupied by a tenant unless the property has been registered and a valid rental license has been issued for that property, except for a 60-day grace period following initial adoption of this Chapter.
 4. Owners shall apply for license renewals no later than sixty (60) days prior to the license expiration date. The term of registration shall be valid as long as ownership remains unchanged.
 5. All owners or responsible local agents shall comply with the following:
 - a. All residential rental structures and residential rental units shall be registered with the Village, and the owner shall pay registration and license fees assessed at the time of registration and at the time of each renewal.
 - b. All newly constructed residential rental structures and residential rental units shall be registered prior to the issuance of a certificate of occupancy.
 - c. A residential rental structure, or residential rental unit which is sold, transferred, or conveyed shall be re-registered by the new owner within 30 days of the date of the deed, land contract, or other instrument of conveyance. No fees will be

assessed within this time period. If a property is not registered within the 30-day period then a registration fee will be assessed, and the Village may require a new rental license and inspection.

6. Fees for registration, inspections, missed appointments, re-inspections, late fees, and appeals shall be as prescribed in the Village resolution in the Village fee schedule as adopted from time to time by the Village council. All inspection fees shall be paid at the office of the Clerk prior to inspections being performed. A late fee shall be charged for all inspection fees not paid prior to the inspection ten (10) days after the inspection is performed. Fees remaining unpaid for more than ten (10) days following an inspection shall be charged an additional late fee and all accumulative charges may be added to the tax rolls relative to the properties, and such charges shall become a lien in the same manner as the regular taxes applied to such premises, until such charges are paid.

§ 155.006 INSPECTIONS

A. The Village designated Inspector shall inspect residential rental structures and residential rental units pursuant to any of the following circumstances:

1. Upon receipt of a new rental registration application for a property that was not previously registered.
2. Upon receipt of any rental registration renewal request for any property that has been previously registered.
3. Upon receipt of a complaint from an owner or tenant that the premises are in violation of the minimum standards for rental properties.
4. Upon receipt of a report or a referral from the Village Police Department, Village Department of Public Services, the Village Zoning Administrator, other law enforcement agencies, public agencies or departments, or any individual indicating that the premises may be in violation of this Chapter. The request shall be based on the personal knowledge of the person making the report.
5. If an exterior survey of the premises gives the inspector probable cause to believe that the premises are in violation of this Chapter.
6. Upon receipt of information that the residential rental unit is not registered with the Village as required by this Chapter.

B. Routine Inspections.

Routine inspections shall occur at least once every two (2) years for licensing purposes.

1. The Village or designated inspector shall provide the landlord and tenant not less than ten (10) days written notice of a routine inspection unless the tenant consents to a shorter period.
2. Landlords shall provide access to all areas reasonably necessary for inspection.

C. The Village may adopt by resolution an inspection checklist and administrative rules consistent with this Chapter and state law.

- D. Rental residential properties shall be inspected, and a renewal issued for all residential rental licenses every two (2) years.
- E. Owners shall apply for license renewals no later than sixty (60) days prior to the license expiration date. The term of the rental registration shall be valid as long as ownership remains unchanged.
- F. Inspections shall be conducted by the Village or a Village designated inspector.
- G. A license may be denied, suspended, or revoked for:
 - 1. Refusal to permit inspection;
 - 2. Repeated or unresolved habitability violations; and
 - 3. Unpaid fines related to code violations.
- H. Refusal to permit inspection after proper notice shall also constitute a municipal civil infraction and grounds for immediate license suspension.
- I. *Inspection; warrants for non-emergency situations; no warrant required in emergencies.*
 - 1. In a nonemergency situation where the owner or occupant demands a warrant for inspection of the premises, the Village may obtain a warrant from a court of competent jurisdiction.
 - 2. The Village shall prepare the warrant, stating the address of the building to be inspected, the nature of the inspection, as defined in this Chapter or other applicable laws, codes, regulations or ordinances, and the reasons for the inspection.
 - 3. It shall be appropriate and sufficient to set forth the basis for inspection (e.g., complaint, area, or recurrent violation basis) established in this section, in other applicable laws, or in codes or regulations.
 - 4. The warrant shall also state that it is issued pursuant to this section, and that it is for the purposes set forth in this Chapter and other acts which require that inspections be conducted.
 - 5. If the court finds that the warrant is in proper form and in accord with this section, it shall be issued forthwith.
 - 6. In the event of an emergency, no warrant shall be required.

§ 155.007 Health order; infected and uninhabitable dwellings to be vacated.

Whenever it shall be certified by an inspector or officer of the health department that a dwelling is infected with contagious disease or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, lighting, ventilation, or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said dwelling, or for any cause, the health officer or such other appropriate public official as the Village President may designate, may issue an order requiring all persons therein to vacate such house within not less than twenty-four (24) hours nor more than ten (10) days for the reasons to be mentioned in said order. In case such order is not complied with within the time

specified, the health officer or such other appropriate public official as the Village President may designate may cause said dwelling to be vacated. The health officer or such other appropriate public official as the Village President may designate whenever they are satisfied that the danger from said dwelling has ceased to exist, or that it is fit for human habitation may revoke said order or may extend the time within which to comply with the same.

§ 155.008 PROCEDURE WHEN INSPECTION DISCLOSES VIOLATION.

- A. When violations are found, the Village shall issue an Inspection Report and a correction deadline.
- B. A temporary certificate of compliance may be issued when any violation does not constitute an immediate hazard to the health or safety of those who may occupy the premises. Said temporary certificate of compliance may be revoked by the Village if the owner or his or her agent fails to correct the noted violation(s) within the time allowed by the Village.
- C. Reinspection's shall be conducted to verify compliance.
- D. In the event the owner or his or her agent is in the process of evicting an occupant and/or tenant from a residential rental dwelling unit which is in violation of the this Chapter and related laws, 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 or her agent shall promptly notify the Village of the completion of said violation.

§ 155.009. Appeals

- A. Landlords or owners may appeal a notice of violation, license denial, suspension, or revocation within ten (10) business days to the Village Rental Housing Appeals Board, as designated by Village Council resolution.
- B. The appeal shall be in writing on a Village form and shall state the grounds. Filing an appeal stays enforcement of the contested item(s) unless an Emergency Condition exists.

§ 155.010 INSPECTION FEES.

- A. The owner of a property subject to this Chapter shall pay an inspection fee for any inspection made under this Chapter. The inspection fees shall be in the amount as shall be established from time to time by resolution of the Village Council and shall be paid at the time of such inspection.
- B. Where an inspection discloses a violation and re-inspection is necessary to ensure compliance, the owner shall pay a re-inspection fee in such amount as established from time to time by the Village Council.
- C. Complaint Inspection fees.
 - 1. In the event that an occupant of a rental dwelling unit or a private individual shall make a written complaint concerning a violation at a residential rental dwelling unit, the Village, in its discretion, may require an inspection deposit in the amount of the anticipated inspection fee from said occupant or individual.

2. If the inspection, which was made as a result of said complaint, discloses no legitimate violation, then in such an event the individual making the complaint shall be liable to the Village for the complaint inspection fee, and said deposit shall be applied thereto. If the inspection discloses a violation, the deposit shall be refunded and the owner shall be liable for the inspection fee.

§ 155.011 Habitability Complaint Process

A. Filing a Complaint

1. Tenants may submit a complaint via a written or online form provided by the Village.
2. The form must describe the problem and when the landlord was notified.
3. Tenants may remain anonymous if they choose to the extent allowed by law.
4. Complaints under this Section shall be limited to habitability, health, or safety conditions, and not to private lease disputes.

B. Village Inspection and Enforcement

1. The Village shall schedule a complaint inspection of the property within seven (7) business days of receiving a complaint.
2. If violations are found, a written notice shall be issued to the landlord, requiring repairs within a set timeframe.
3. If an Emergency Condition is alleged, the Village may inspect sooner as resources allow.

C. When the person making a complaint under this Chapter requests confidentiality, the Village will 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 dwelling unit, except when required to do so:

1. Pursuant to the Freedom of Information Act; or
2. By court order.

§ 155.012 Transfer of Ownership.

It shall be a violation of this Chapter for the owner of any residential rental structure or residential rental unit, who has received a notice of violation of any code or ordinance applicable within the Village, including violations of this Chapter, zoning violations, building code violations, fire code violations, violations of rental inspection guidelines, or nuisance code violations, to transfer, convey, lease or sell, including by land contract, ownership and/or interest in any way to another, unless such owner shall have first furnished to the grantee, vendee, or transferee a copy of any notice of violation and shall have furnished to the Village a signed and notarized statement from the grantee, vendee, or transferee acknowledging the receipt of such notice of violation and acknowledging legal responsibility for correction of the violation.

§ 155.013 Harassment.

- A. Any tenant or other person who shall maliciously or vexatiously cause an inspection to be made for the purpose of harassing any individual, owner or responsible local agent, corporation, or governmental agency where no violation is present shall be responsible for a municipal civil infraction.
- B. Village designated inspectors, county building and health officials, and Village code and law enforcement officers are duly authorized to inspect properties in conjunction with this Chapter. These authorized officials shall not be harassed, stalked, threatened, hindered, assaulted, or otherwise interfered with in the performance of their duties. Notwithstanding any other section in this Chapter, a violation of this subsection shall be a municipal civil infraction.
- C. Any owner, or responsible party who harasses or threatens a tenant with loss of occupancy as a result of filing a valid complaint shall be responsible for a municipal civil infraction.

§ 155.014 Enforcement and Penalties

- A. A violation of this Chapter is a municipal civil infraction. Civil fines shall be as set forth in a schedule adopted by resolution of the Village Council, not to exceed \$500 per day per violation after the correction deadline.
- B. Each day a violation continues after notice and the correction deadline constitutes a separate offense.
- C. Continued non-compliance may result in license suspension or revocation and enforcement in a court of competent jurisdiction.
- D. The Village may recover actual costs of enforcement, including inspection and reinspection costs, and reasonable attorney fees as authorized by law.

§ 155.015 Health and safety order; repairs to buildings, other structures.

Whenever any residential rental property or any building, structure, excavation, business pursuit, matter or thing, in or about a residential rental property, or the lot on which it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is in the opinion of the county health officer, the county building official, or the Village designated inspector, in a condition or in effect dangerous or detrimental to life or health, the health officer, building official, or inspector may designate may declare that the same to the extent they may specify is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified as the order shall specify.

§ 155.016 Authority of the Inspectors.

- A. This Chapter shall not impair or diminish the authority of the Village, the Village designated inspectors, the county Building Official, the county Health Officer, or the local fire marshal to employ any alternative action or corrective measure provided for under any applicable housing, building, sanitation, or fire codes where applicable.
- B. This Chapter shall not be construed so as to limit the application and enforcement of the Village zoning ordinance, the dangerous building ordinance, or nuisance

ordinances, nor any state or county housing and building codes applicable to property within the Village as to the maintenance of residential dwellings or the health, safety, welfare of tenants residing in residential dwellings, where applicable.

§ 155.017. Transition / Initial Compliance

- A. Within sixty (60) days of the effective date, all landlords shall register residential rental properties with the Village Clerk.
- B. Within twelve (12) months of the effective date, all residential rental properties shall complete an initial licensing inspection.

§ 155.018. Severability

If any section or provision of this Chapter is found to be unlawful, such invalidation shall not affect the remaining provisions.

Section 2. Repealer Clause. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 4. Adoption. This Ordinance is hereby declared to have been adopted by the Village Council of the Village of Pinckney, County of Livingston, State of Michigan, at a regular meeting, called and held on the ____ day of _____, 2026, and ordered to be given publication in the manner prescribed by law.

Section 5. Effective Date. This Ordinance shall become effective fifteen (15) days from its adoption by the Village of Pinckney Village Council and its publication.

Jeffrey Buerman, Village President

Andrea McCall, Village Clerk

Village Council Member _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Village Council Member _____, and upon being put to a vote, the vote was as follows:

Jeffrey Buerman, President _____
Justin Bierman, Trustee _____
Stacy Conquest, Trustee _____
Rob Coppersmith, Trustee _____
Nick Kane, Trustee _____
Jo Self, Trustee _____
_____, Trustee _____

The President thereupon declared this Ordinance approved and adopted by the Village Council of the Village of Pinckney this ____ day of _____ 2026.

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. _____ adopted by the Village Council of the Village of Pinckney, County of Livingston, Michigan, at a regular meeting held on _____, 2026.

Andrea McCall, Village Clerk