

**CHARTER TOWNSHIP OF WATERFORD  
AMENDMENT TO CODE OF ORDINANCES**

**It is ordained that CHAPTER 4 “BUILDINGS AND BUILDING REGULATIONS”, be amended with the addition of ARTICLE IX, “INTERIM RENTAL CERTIFICATION ORDINANCE”, which shall read as follows:**

**Sec. 4-240. Short title.**

This Article shall be known and cited as the "Rental Certification Ordinance."

**Sec. 4-241. Purpose.**

The Charter Township of Waterford recognizes the importance to the general health, safety and welfare of all of its citizens including its citizens who rent residential rental buildings. The Charter Township of Waterford therefore also recognizes a compelling interest in establishing standards for the maintenance of sanitary and safe residential rental buildings and residential rental units in the Township. This ordinance is designed to promote the continued maintenance of quality and safe rental properties and to enhance and maintain property value of all properties, and to reduce the causes of blight and other deleterious factors affecting neighborhoods. This Ordinance is designated as “interim” for the reason that a comprehensive update of the Code of Ordinances will be adopted in the near future.

**Sec. 4-242. Definitions.**

When used herein the following words and phrases shall have the following meanings:

**CERTIFICATION.** A certificate issued by the Charter Township of Waterford which certifies compliance with this ordinance and the date of such certification.

**HOUSING AND BUILDING CODES.** The most recent standards of construction and maintenance for residential property in general and residential rental property in particular, as adopted by the Charter Township of Waterford.

**INSPECTION GUIDELINES.** Those guidelines as adopted by the Charter Township of Waterford to be used by the Building Official in conducting inspections, setting forth the minimum requirements for dwellings inspected under this ordinance.

**LEASE.** Any written or oral agreement that sets forth conditions concerning the use and occupancy of residential rental buildings or residential rental units by an entity paying rent or for whom rent is paid.

**MANAGER.** A person, persons, partnership, firm or corporation that actively operates or manages a residential rental property for the owner.

**OCCUPANTS.** Tenants, lessees and/or persons residing in a residential rental building or residential rental unit.

**OWNER.** Any person having a legal or equitable interest in a residential rental building or a residential rental unit.

**PREMISES.** Any zoning lot or parcel of land that includes a residential rental building or a residential rental unit.

**RENT.** Shall include let, lease, barter or any other arrangement whereby one person pays a consideration to another for the privilege of residing in a residential rental unit for any period of time.

**RESIDENTIAL RENTAL BUILDING.** Any building that contains one or more residential rental units.

**RESIDENTIAL RENTAL UNIT.** Any apartment, room, dwelling unit, house or portion thereof or any condominium unit for which a person or group of persons pays rent directly or indirectly to the owner thereof for the purpose of a person or persons to reside therein. This definition includes one and two-family dwellings, multiple and multi-family dwellings, apartment units, and flats. This definition does not include hotels and motels as defined by the Waterford Township Zoning Ordinance and licensed and inspected by the State of Michigan. Nor does this definition apply to owner-occupied single family homes where the owner, through a vacation home exchange program, or an occasional seasonal rental, vacates the home entirely and permits an exchange or seasonal rental family to occupy the premises on a short-term stay.

**TO SECURE.** As used in this ordinance, "to secure" shall mean to board up all windows and doors in accordance with the Boarding Standards adopted by the Charter Township of Waterford thereby making the premises inaccessible by anyone other than the owner or Township inspection personnel.

**Sec. 4-243. Registration required.**

The owner of any residential rental building or residential rental unit shall register each residential rental building and all residential rental units contained within the residential rental building with the Township and shall designate a person, as defined in Section 4-244, as the responsible local agent who shall be legally responsible for operating the registered residential rental building or residential rental unit and shall also be responsible for providing access to such premises for making the inspections necessary to insure compliance with the terms of this ordinance and all applicable Codes and Ordinances adopted by the Charter Township of Waterford. A "certification" shall not be issued unless an applicant complies with the registration provisions of this ordinance.

**Sec. 4-244. Responsible local agent.**

The responsible local agent shall be an individual person who represents the owner, having a place of residence in the State of Michigan and within 45 miles of the limits of the Charter Township of Waterford. 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 Charter Township of Waterford Codes and Ordinances. The owner may act as the responsible local agent provided he resides in the State of Michigan and within 45 miles of the limits of the Charter Township of Waterford. All official notices of the Township may be issued to the responsible local agent, and any notice so issued shall be deemed to have been issued upon the owner or owners of record.

**Sec. 4-245. Period for registration of residential rental buildings.**

Residential rental buildings required to be registered pursuant to this Article shall comply with the following provisions:

- (1) All existing residential rental buildings shall be registered on or before October 1, 2010. Registration shall commence on August 1, 2010;
- (2) All newly constructed residential rental buildings shall be registered prior to the issuance of the certificate of occupancy by the Township;
- (3) A residential rental building 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;
- (4) All existing non-rental dwellings which are converted to residential rental buildings shall be registered, inspected, and certified prior to the date on which the property is first occupied for rental purposes.

**Sec. 4-246. Registration forms and fee.**

- (a) Applications for registration shall be made in such form and in accordance with such instructions as may be provided by the Building Official and shall include at least the following information:
  - (1) The name, address and telephone number of the applicant.
  - (2) The names, addresses, telephone numbers and date of birth of all owners of the residential rental building or structures.
  - (3) The name, local address, telephone number and date of birth of the responsible local agent.
  - (4) The number of residential rental buildings at each site and the address of, and number of residential rental units in each residential rental building, and the number of occupants in each residential rental unit.
  - (5) An authorization appointing a responsible local agent signed by both the owner and the responsible local agent.
- (b) A registration fee for each dwelling unit within a residential rental building shall be paid at the time of registration. No post office boxes will be accepted as a legal address. However, a post office box may be accepted as a mailing address for legal correspondence upon written request of the property owner. Upon registration, the Building Official shall inform applicants of certification requirements. The fee for each registration shall be as established by resolution of the Township Board, as amended. The owner shall be responsible for notifying the Township of any change of address of either the owner or the responsible local agent.

**Sec. 4-247. Registration term and renewal.**

Registration shall be made prior to the use or occupancy of any residential rental building or residential rental dwelling unit except as otherwise provided by this ordinance. The term of the registration shall be valid as long as ownership remains unchanged.

**Sec. 4-248. Transfer of ownership.**

It shall be unlawful for the owner of any residential rental building or residential rental dwelling unit who has received a notice of violation of any code or ordinance of the Township (including notices that the number of residential rental units exceeds that permitted by the zoning ordinance) to transfer, convey, lease or sell (including by land

contract) his ownership and/or interest in any way to another, unless such owner shall have first furnished to the grantee, lessee, vendee, or transferee a true copy of any notice of violation and shall have furnished to the Building Official a signed and notarized statement from the grantee, vendee, lessee, or transferee acknowledging the receipt of such notice of violation and acknowledging legal responsibility for correction of the violation.

**Sec. 4-249. Certification required.**

- (a) No person shall lease, rent or cause to be occupied a residential rental building or residential rental dwelling unit unless there is a valid certification issued by the Township in the name of the owner and issued for the specific residential rental building and each residential rental dwelling unit. The certificate shall be produced upon request. The certificate shall be issued after an inspection by the Building Official which may include building, mechanical, housing, electrical, and plumbing inspections, and fire safety inspections (in instances where the Fire Chief has jurisdiction) to determine that each rental building and rental dwelling unit complies with the provisions of the codes and ordinances of the Township. Such inspections shall commence after the effective date of this ordinance and shall continue until all rental building and all rental dwelling units in the Township have been inspected. A certification may be issued for the following maximum period: Existing one and two-family dwelling units -four year certificate; Existing multi-family dwelling (3 or more dwelling units) -three year certificate.
- (b) The Township will issue a certification valid for those years if the Building Official determines during the inspection that:
  - (1) Any deficiencies discovered during previous inspections of the rental unit have been corrected; and
  - (2) There are no major violations of the inspection guidelines for rental dwellings (major violations are those violations which create a risk to the health, safety or welfare of tenants).However, a residential rental dwelling unit located in a multi-family residential rental building will receive certification only if all other occupied residential rental dwelling units within the residential rental building have a valid certification or are also entitled to receive a certification.
- (c) If a residential rental dwelling unit does not satisfy the criteria set forth in subsection (b), the Township will not issue a certification.
- (d) Notwithstanding the language in subsection (c), the Building Official may in his or her discretion waive compliance with the criteria set forth in subsection (b) if he determines:
  - (1) A waiver of such criteria will not endanger the health, safety or welfare of tenants; and
  - (2) The owner of the rental unit has demonstrated a history of compliance with the Township's inspection guidelines for rental dwellings.

**Sec. 4-250. Applicability to existing residential rental buildings.**

- (a) This ordinance applies to all residential rental buildings and residential rental dwelling units within the Township existing on the effective date of this ordinance

and to those subsequently constructed or created. For residential rental buildings and residential rental dwelling units existing on the effective date of this ordinance which have been registered in accordance with the provisions of this ordinance, the prohibitions against leasing, renting and occupying contained in Section 4-248 and Section 4-249 shall be inapplicable to such dwellings or units until 60 days after the Township makes its initial inspections of such buildings or dwelling units. This will permit the owner time to make necessary repairs and obtain a certification while maintaining occupancy of the rental unit; provided, however, that if the defects which must be corrected pose an imminent threat to the health, safety and welfare of the occupants, the Building Official shall commence procedures to vacate the dwelling and Section 4-249 prohibiting occupancy shall be immediately applicable.

- (b) Any residential rental building which is a new construction or renovation which required a comprehensive inspection and which is issued a certificate of occupancy pursuant to an inspection after the effective date of this ordinance will also be issued a certification simultaneous with the certificate of occupancy and an inspection fee pursuant to Section 4-252 shall not then be required. Residential rental buildings which are new constructions shall comply with registration requirement pursuant to Section 4-245. Newly constructed single and two-family residential rental buildings may be issued a certification valid for six (6) years. Newly constructed multi-family dwelling units may be issued a certificate valid for three (3) years

**Sec. 4-251. Periodic Inspections.**

- (a) The Building Official shall inspect residential rental buildings and residential rental dwelling units on a periodic basis pursuant to this Article or under any of the following circumstances:
  - (1) Upon receipt of a complaint from an owner or occupant that the premises are in violation of this Article.
  - (2) Upon receipt of a report or a referral from the Police Chief, other public agencies or departments, or any individual indicating that the premises are in violation of this Article and which is based on the personal knowledge of the person making the report.
  - (3) If an exterior survey of the premises gives the Building Official probable cause to believe that the premises are in violation of this Article.
  - (4) Upon receipt of information by the Building Official that a rental unit is not registered with the Township as required by this Article.
  - (5) As required for issuance or renewal of certification.
- (b) In order to provide for the scheduling of inspections, the owner or local agent of registered residential rental buildings is sent a reminder notice regarding the need to schedule an inspection for the renewal of the certification. Owners of newly registered units must call to schedule their own inspections. If the owner or agent does not respond to the reminder notice, the following will take place:
  - (1) The Building Official shall notify the owner or local agent of a residential rental building of the date and time such building is to be inspected. Such notice maybe personally delivered or maybe sent by first-class mail.

- (2) Upon receipt of the aforementioned notice, the owner or local agent must either:
  - (i) Appear at the date and time scheduled for the inspection; or
  - (ii) Object in writing within ten days of the mailing of the aforementioned notice and:
    - a. Schedule an alternative date for the appointment within thirty (30) days from the date identified in the initial notice; or
    - b. Direct the Building Official to contact the occupant of the residential rental dwelling unit directly to schedule the inspection and provide the occupant's name, address and telephone number.
- (3) If an owner or local agent of a residential rental building requests the Building Official to schedule the appointment with the occupant the owner or local agent shall provide a copy of such request to the occupant. The Building Official shall notify the occupant of the residential rental building or dwelling unit of the date and time such inspection is scheduled. Such notice may be personally delivered or may be sent by first-class mail. Upon receipt of the aforementioned notice, the occupant must either:
  - (i) Appear at the date and time scheduled for the inspection; or
  - (ii) Object in writing within ten days and schedule an alternative date/time for the appointment within 30 days from the date identified in the initial notice.
- (4) If an owner, local agent or occupant subsequently learns he or she will not be present for a scheduled appointment, the individual must provide the Building Official with at least 24 hours advance notice and must re-schedule an inspection date within 30 days from the scheduled appointment. Failure to appear for a scheduled appointment without providing the aforementioned notice shall be a violation of this paragraph and a municipal civil infraction. Failure to appear for a scheduled second inspection date shall be a violation of this paragraph and a municipal civil infraction.
- (c) The tenant of a single or two-family dwelling may deny access for a rental inspection provided that the following procedures are followed:
  - (1) The tenant must complete and submit an "Access Denied" form to the Building Official within the ten (10) day time frame.
  - (2) The Certification will be pulled and the unit will be placed in an inactive file with a recheck scheduled for one year's time.
  - (3) In the event that the unit becomes vacant, it is the property owner's responsibility to schedule an inspection and to obtain certification prior to allowing occupancy.
  - (4) Failure to arrange for an inspection once the unit becomes vacant shall result in a municipal civil infraction.
  - (5) Allowing occupancy of a unit without a valid certification after a vacancy shall result in a separate municipal civil infraction.
  - (6) Multi-family buildings (3 or more dwelling units) must be inspected every three (3) years and receive a valid certification.
- (d) During the inspection, the Building Official shall note any violations of this ordinance or other provisions of the Township Code of Ordinance and give written notice of any such violations to the owner or local agent. The owner or local agent shall correct all violations within the time set forth in the notice. A reasonable time

for correcting violations shall be determined by the Building Official in light of the nature of the violations and all relevant circumstances, but shall not exceed 60 days. Upon written request of the person responsible for correcting violations, the Building Official may extend the time for correcting violations if the Building Official deems such action appropriate under all relevant circumstances, but not to exceed an additional 60 days.

**Sec. 4-252. Annual operating fees.**

- (a) The annual operating fees for periodic inspection of each residential rental building and residential rental dwelling unit and any other fees provided by this ordinance shall be as adopted and/or amended by resolution of the Township Board. The annual operating fee shall cover periodic inspection for the issuance or renewal of a certification, except that such fee shall not cover an inspection made pursuant to a final notice of violation issued under Section 4-254(b).
- (b) If the Building Official determines that a complaint was filed without a factual basis, and such inspection is made on the basis of said complaint the fee for such inspection shall be charged to the complainant.
- (c) An administrative late fee of ten percent of the unpaid balance shall be paid to the Township by the person obligated to pay an annual operating fee under subsection (a) if such fee is not paid within 60 days from the billing date. After 90 days from the date of billing those fees shall become a lien on the real property and shall be reported to the Assessing Official who shall place the fees on the real estate tax rolls of the property on which the building is located.
- (d) The rental inspection program as provided for in this Article shall be operated by the Township on a "break even" basis. This means the fees charged shall be set at a rate to produce sufficient revenue to cover the actual, direct cost of administering the program. In the event the fees as set forth herein or as hereafter amended exceed the actual, direct cost of administering the program, the Township Board, by resolution, shall reduce the fees to an amount which shall produce sufficient revenue to cover the actual, direct cost of administering the program. If at any time the fees being collected are insufficient to cover the cost of the program, the Township Board, by resolution, shall increase the fees to an amount which shall produce sufficient revenue to cover the actual, direct cost of administering the program.

**Sec. 4-253. Issuance or renewal of certification.**

- (a) Between 60 and 30 days before the expiration date on the certification issued for a residential rental property, the owner or local agent for the property shall apply to the Township for the scheduling of an inspection for the issuance of a new certification for that residential rental property.
- (b) Upon receipt of a timely request for an inspection for the purpose of the issuance or renewal of a certification, the Township shall inspect the premises before the certification expires or is initially issued. Upon failure of the Township to conduct an inspection prior to occupancy or expiration of the certification the owner may rent the property until the Township has conducted an inspection, and the owner will not be deemed in violation of this Article during that time. If, however, the

Township's failure to inspect is due to the owner's, local agent's or tenant's action, failure to act, or refusal to permit an inspection after reasonable notice of the intent to inspect, the owner shall not rent the property.

**Sec. 4-254. Notices and orders.**

- (a) Notice of violation. Whenever the Building Official determines that there has been a violation of any provisions of this ordinance, he shall give notice of such alleged violation and orders for correction of violation as hereafter provided except this Section shall not apply in any way to the prosecution of violations of Section 4-251 or violations of the registration requirements set forth in the ordinance as such may be prosecuted without notice. Such notice shall:
- (1) Be in writing;
  - (2) Include a statement of the conditions that constitute violations of this Article;
  - (3) State the date of the inspection, the name of the official who conducted the inspection, the address of the dwelling, and the date set for re-inspection;
  - (4) Specify a time limit for the performance of any act it requires.
  - (5) Notify the responsible local agent, or the occupant as the case may require, of his right to appeal from the notice or order to the rental housing board of appeals;
  - (6) Be served upon the owner or the occupant as the case may require, and on the responsible local agent and that such notice shall be deemed to be properly served if a copy thereof is (i) served personally, or (ii) sent by first class mail to last known address. Notice given the responsible local agent is deemed as notice given to the owner.
- (b) Final notice of violation. Upon observing the continued existence of a violation of this ordinance as stated in the notice of violation the Building Official shall send a final notice of violation and order to vacate to the responsible local agent. Such notice shall be sent by certified mail to the last known address of the responsible local agent and shall:
- (1) Specify the date of the inspection;
  - (2) Specify the address where the violation was found;
  - (3) Include the name, telephone number and signature of the official who conducted the inspection;
  - (4) Include a description of each violation observed by the Building Official;
  - (5) State that each violation is a separate punishable offense;
  - (6) Order the premises to be vacated within a time to be set by the Building Official, the length of which shall be determined by the extent of the danger to the occupants but in no case shall it exceed 30 days, or alternatively:
    - (i) Order correction of all violations within a time period not to exceed 30 days;
    - (ii) State that a re-inspection will be made to determine whether all violations have been corrected by the specified date. A re-inspection fee as adopted by resolution by the Township Board will be required to be paid prior to a re-inspection; and the owner or local agent shall be responsible for contacting the Building Official for scheduling the re-inspection within 10 days of date on the notice.
    - (iii) State that failure to comply with the notice will result in prosecution; or

- (iv) Employ any other additional or optional corrective or enforcement measure as provided for under the Charter Township of Waterford Code of Ordinances, or by law.
- (v) Each re-inspection, as needed, will require an additional re-inspection fee to be paid prior to a re-inspection.
- (c) Posting final notice of violation. Upon issuing a final notice of violation for a residential rental building or residential rental unit, or its accessory building, the Township shall affix a copy of same on the residential rental building or unit, and deliver a copy of the notice to the occupants, if any.
- (d) Nuisance per se. Notwithstanding any provision in this Article to the contrary, any residential rental building or unit that is found to be in such condition as to preclude habitation or threaten the health, safety or welfare of the occupants or community shall be considered a nuisance per se, and, as such, subject to abatement in a manner prescribed by the Charter Township of Waterford Code of Ordinance, state statute and/or law.

**Sec. 4-255. Inspection guidelines.**

The Building Official shall prepare a list of inspection guidelines and minimum standards to be used in inspections relating to the enforcement of this ordinance. The inspection guidelines and minimum standards are incorporated herein by reference and shall be effective upon adoption of this ordinance. The adoption of said inspection guidelines and minimum standards shall not be construed to relieve the owner from compliance with any other requirements of codes adopted by the Charter Township of Waterford including, but not limited to, housing, electrical, building, plumbing, mechanical, fire codes and zoning requirements as necessary due to renovations requiring permits.

**Sec. 4-256. Appeal process.**

- (a) If the owner disagrees with the opinion of the Building Official as to either the existence of an alleged violation or the period of time that will be reasonably required for the owner to correct the alleged violations as set forth in the notice of violation and order to repair, the owner may appeal to the rental housing board of appeals, who is hereby designated to hear such appeals. An occupant of a dwelling shall have standing to appeal any notice or order to vacate the dwelling. The rental housing board of appeals shall consist of five persons appointed by the Township Supervisor and confirmed by the Township Board. The members of the rental housing board of appeals shall consist of persons who are qualified by experience to pass on matters pertaining to this ordinance and who are not employees of the Charter Township of Waterford. Specifically, the membership of the board shall be: a) one licensed builder, construction tradesman, licensed engineer, or licensed architect who is not a rental property owner or occupant (tenant); b) two current rental property owners; c) one current rental property occupant (tenant); and d) one resident of the Township at large who is neither a rental property owner or occupant (tenant). Members are to serve a three-year staggered term and priority shall be given to Township residents. The initial rental housing board of appeals shall adopt rules of procedure to conduct meetings which shall be made available to all persons upon request.

- (b) Any owner or occupant requesting such appeal shall file a written request therefor with the Building Official within ten days after the date of receipt of the notice of violation or within the time for taking any action indicated on a notice or order, whichever time is shorter, and on a form designated by the Building Official.
- (c) As soon as practicable, the rental housing board of appeals shall fix a time, date and place for a hearing and shall hear testimony and argument from the owner and the Building Official and shall by a majority vote determine the question at hand. The decision of the rental housing board of appeals shall be binding upon the owner and the Township.

**Sec. 4-257. Revocation of certification.**

In the event the owner does not correct a violation of any provision of this ordinance, the Building Official shall revoke any existing certification and may bring an action to seek the enforcement of this ordinance by abatement, mandatory injunction to cause correction of a violation, or enjoinder of the violation to prevent an act or violation, or the vacation of the premises by all occupants and its discontinuance as a residential rental building, or such other action as provided for under this ordinance. Any building not in compliance with this ordinance is deemed a nuisance per se.

**Sec. 4-258. Penalties.**

- (a) Any owner of a residential rental building or unit who shall fail to obtain a certification for each residential rental building or unit shall be responsible for commission of a municipal civil infraction. Any owner who fails to comply with any of the other requirements of this Article shall be guilty of a municipal civil infraction. Inasmuch as municipal civil infractions issued pursuant to this Article involve the use or occupancy of buildings, a municipal civil infraction issued under the terms of this ordinance may be served upon the alleged violator, including the owner or tenant by posting a copy on the land or attaching a copy to the property and mailing a copy by first-class mail to the last-known address of the alleged violator.
- (b) An owner or occupant may be charged with more than one violation of the provisions of this Article in a single complaint or appearance ticket provided that each violation so charged relates to the same property.
- (c) In addition to the sanctions provided for municipal civil infractions under Sec. 1.10 (B) of the Code of Ordinances and corrective action to abate or enjoin the violation, the Township may seek to recover the costs of prosecution, or other civil action in either district or circuit court.

**Sec. 4-259. Vacating and securing buildings.**

The Building Official may declare a residential rental building or residential rental unit to be unfit for human occupancy or entry when:

- (1) A condition exists that constitutes an immediate threat to life or an immediate threat of serious injury to the person or any occupant.
- (2) An emergency or hazardous condition has not been corrected as ordered.

- (3) A vacant dwelling or vacant unit has not been secured as ordered in a notice of violation.
- (4) As otherwise provided for in this ordinance.
- (5) Any other hazardous or dangerous condition exists as defined in any other code or ordinance adopted by the Charter Township of Waterford.

**Sec. 4-260. Occupancy prohibited.**

No person shall occupy or permit or allow another person to occupy any residential rental building which has been declared to be unfit for human occupancy or entry.

**Sec. 4-261. Notice to vacate.**

Upon declaring a residential rental building to be unfit for human occupancy and entry, the Building Official shall issue a notice to vacate to the occupants by certified mail and by posting the notice to vacate at an entry of each dwelling unit. The notice shall order the occupants to vacate the affected residential rental building no later than 72 hours after such notice.

**Sec.4-262. Notice to secure.**

Upon declaring a residential rental building as unfit for human occupancy and entry, the Building Official shall issue a notice to secure to the owner. The notice to secure shall order the owner to secure the residential rental building. The notice shall order the securing of a vacant building or unit within 48 hours and the securing of an occupied dwelling or unit within 48 hours of becoming vacant.

**Sec.4-263. Posting of building unfit for human occupancy.**

Upon issuing a notice to vacate or a notice to secure, the Building Official shall place a sign or signs upon or near the entryways to any dwelling or unit cited in the notice. The sign shall state the address or unit number of the building or unit and the name of the owner. It shall inform the public that it is a violation of this Code to enter the building or unit unless authorized in writing by the Building Official.

**Sec. 4-264. Securing and making safe an unsafe structure; costs to be reimbursed; tax lien.**

If the owner fails to comply with the Notice to Secure after the expiration of the time in the Notice, the Building Official may act to retain a contractor to secure and make safe the building or unit. The cost of the work, plus a 15% administrative fee, shall be tallied in a Bill of Cost and submitted to the owner or the owner's registered representative, by First-Class Mail, and by posting on the building in a conspicuous place. Upon failure of payment of the Bill of Cost to the Township for a period of sixty (60) days, the Bill of Cost shall become a lien on the property, subject to filing with the Oakland County Register of Deeds, and reported to the assessing official who shall place the Bill of Cost on the tax rolls for the real property upon which the building unit is located, and collected in accordance with the General Property Tax Law.

**Sec. 4-265. Reliance on certification.**

Issuance of a certification shall not constitute a guarantee or warranty of the habitability or complete compliance of the building or structure to code requirements and the occupant of any residential rental building or residential rental unit shall not rely on any certificate as such a guaranty or warranty. The certification shall contain a notice to this effect. The Township shall not assume any liability to any person by reason of the inspections required by this ordinance or issuance of a certification.

**Sec. 4-266. Authority of Building Official.**

- (a) This Article shall not impair or diminish the authority of the Building Official or duly authorized representative to employ any alternative action or corrective measure provided for under any other ordinance or codes adopted by the Charter Township of Waterford, where applicable.
- (b) This Article shall not be construed so as to limit the application and enforcement of the Township Zoning Ordinance or other codes adopted by the Township which address the maintenance of properties, residential dwellings, or the health, safety, and welfare of occupants residing in residential dwellings, where applicable.

**Sec. 4-267. Severability.**

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

**Secs. 4-268--4-300. Reserved.**

This Ordinance shall become effective on the \_\_\_\_ day of \_\_\_\_\_, 2010, following publication in the manner prescribed by law.

**INTRODUCED** by the Township Board of the Charter Township of Waterford the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**AYE VOTES:** \_\_\_\_\_  
**NAY VOTES:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_

**ADOPTED** by order of the Township Board of the Charter Township of Waterford, the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**AYE VOTES:** \_\_\_\_\_  
**NAY VOTES:** \_\_\_\_\_  
**ABSENT:** \_\_\_\_\_

STATE OF MICHIGAN     }  
  }

COUNTY OF OAKLAND }

I, **THE UNDERSIGNED**, the duly elected and qualified clerk of the Charter Township of Waterford, do hereby certify that the foregoing is a true and complete copy of an amendment to Chapter 4 “BUILDINGS AND BUILDING REGULATIONS” by adding Article IX “**INTERIM RENTAL CERTIFICATION ORDINANCE**”, Sec. 4-241 to Sec. 4-267 of the Code of Ordinances adopted on the \_\_\_ day of \_\_\_\_\_, 2010.

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Betty Fortino, Clerk