



Memo

To: Honorable Mayor Armitage; City Council

From: City Manager LaPere, MPAP

Date: July 28, 2022

Re: Staff report on proposed amendments to Chapter 52, Article I Property Maintenance Code

Background

The City utilizes the International Property Maintenance Code for base standards of property maintenance for residential and commercial properties within the city. This code is used by numerous Michigan municipalities as it contains well-established best practices and enforceable standards. These codes provide provisions to protect public health, safety, and welfare by ensuring buildings and structures are safe to use and occupy. Additionally, the code establishes enforcement and administrative standards to ensure equal protection and due process provisions are followed.

This code is updated periodically by the International Code Council to ensure it is current on new case law, changes in property maintenance or construction standards, etc. The most recent version available is the 2021 edition, and the city's adopted version is the 2006 edition. It is best practice to update our codes to match the most current edition from time to time for the same reasons those codes are updated. Furthermore, the city's ad hoc code enforcement committee recommended the city adopt the most current edition to bring our standards in line with the more current code edition.

In prior years, the City has also amended several sections related to dangerous buildings. In comparing the 2021 edition to that language, there is significant overlap; therefore, I recommend we eliminate that duplication of standards. This will provide one document to reference for standards. The other change from the current language is the appeals hearings process. The current ordinance calls for appointment of a hearing officer by the Mayor. The proposed language would establish the Zoning Board of Appeals as the body which would hear any appeals of enforcement of the property maintenance code. This would shift those responsibilities from an individual to a public body. The other change is the 2021 edition offers an appendix which establishes standards for boarding up points of ingress and egress on structures. We are recommending adoption of those standards as well. This will ensure any required securing of structures is done in a manner that is suitable and provides examples for persons to follow.

Pursuant to discussion held at the first reading on July 18th, we have updated the section regarding the designated agency and clarified times when certain sections apply for heating. Included for Council's review is the proposed ordinance amendment for second reading, along with a copy of the 2021 Property Maintenance Code.

Recommendation

City Council adopt the proposed ordinance amending Chapter 52, Property Maintenance Code.

Financial Impacts

The costs associated with publication of public hearing and required notice of ordinance amendment are estimated to be \$100.00.

Suggested Motion

See attached ordinance.

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attachments