

**CARROLLTON TOWNSHIP
SAGINAW COUNTY, MICHIGAN**

ORDINANCE NO. 2017-06

The Board of Trustees of Carrollton Township, Saginaw County, Michigan ordains that the Carrollton Township Code of Ordinances be amended as follows:

SECTION I: PURPOSE.

CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, ARTICLE V. NON-OWNER OCCUPIED HOUSING BUSINESS LICENSE, AMENDING SEC. 14-116, 14-117, 14-118, 14-120 AND 14-122 OF THE CARROLLTON TOWNSHIP CODE OF ORDINANCES is hereby created to read as follows:

Sec. 14-116. – Scope.

- (4) Homes sold by a written land contract. Owner must produce to Carrollton Township written proof of the land contract sale and transfer.

Sec. 14-117. – Definitions.

Residential rental unit means a rented, leased, or occupied by person(s) other than the owner, residential dwelling unit within a single-family or multi-residential building. A residential rental unit includes a single-family dwelling, a unit in a duplex, or a unit in a multifamily or multipurpose dwelling, or a unit in a condominium or cooperative housing project.

Sec. 14-118. – Non-owner occupied housing business license required.

No person exercising ownership or control shall allow a residential rental unit to be occupied by a non-owner without first obtaining a license from the township clerk. A license shall be obtained for each residential rental unit.

Any property or structure required to obtain a license under this article and for which the owner or controller fails to do so immediately upon notice of said violation shall be required to vacate said premises until such time as the necessary license is obtained. In order to obtain a license for a residential rental unit, the owner or local agent shall comply with the following mandatory requirements:

- (1) The owner or local agent shall obtain and complete an application for said license with the township clerk.
- (2) The premises shall comply fully with the requirements of the township zoning ordinance and other applicable ordinances.
- (3) The premises shall not be under current condemnation or order to vacate.

Sec. 14-120. – Non-owner occupied housing business license application.

- e. That each lease or rental agreement entered for the licensed residential rental unit shall include the following addendum:

CRIME FREE LEASE ADDENDUM

In consideration of the execution or renewal of a lease of the residential rental unit identified in the lease, Owner and Resident agree as follows:

- (1) Resident, any members of the resident's household or a guest or other person under the resident's control shall not engage in criminal activity, including drug-related criminal activity, on or near said premises. "Drug-related activity" means the illegal manufacture, sale, distribution, use, or possession with the intent to manufacture, sell, distribute, or use of a controlled substance.
- (2) Resident, any member of the resident's household or guest or other person under the resident's control shall not engage in any act intended to facilitate criminal activity, including drug-related criminal activity, on or near the said premise.
- (3) Resident or members of the household shall not permit the residential rental unit to be used for, or facilitate criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household or a guest.
- (4) Resident, any member of the resident's household, or guest or another person under the resident's control shall not engage in any illegal activity including prostitution, criminal street gang activity, threatening, intimidating or stalking, assault, the unlawful discharge of firearms, on or near the residential rental unit premises, or any breach of the lease agreement that otherwise jeopardizes the health, safety, and welfare of the landlord, his agent or other tenant or involving imminent or actual serious property damage.

Violation of the above provisions shall be material and irreparable violation of the lease and good cause for immediate termination of tenancy. A single violation of any of the provisions of this added addendum shall be deemed a serious violation and a material and irreparable noncompliance. It is understood that a single violation shall be good cause for immediate termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by substantial evidence of the type reasonably relied upon by property managers in the usual and regular course of business.

In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of this addendum shall govern.

This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident.

Sec. 14-122. – Non-owner occupied housing business license fee.

The application for a non-owner occupied housing business license, including any renewal thereof, shall be accompanied by a nonrefundable fee in an amount established by the Carrollton Township Board. The fee shall be based upon the number of residential rental units owned by the owner/operator. The non-owner occupied housing business license fee shall be used to defray the costs of processing, training and enforcement.

SECTION II: REPEAL AND SAVINGS CLAUSE

All other ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed.


SECTION III: PUBLICATION

This Ordinance shall be published in a newspaper circulated within the Township of Carrollton within ten (10) days following the adoption thereof.

SECTION IV: EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after publication.

Adopted: June 26, 2017
Published: June 30, 2017
Effective: July 30, 2017


Phillip E. Abney, Supervisor


Jerry W. Fritz, Clerk

CERTIFICATION

STATE OF MICHIGAN
COUNTY OF SAGINAW

I, Jerry W. Fritz, the duly elected Clerk of Carrollton Township, do hereby declare that the foregoing is a complete and true copy of Ordinance No. 2017-06, which was adopted at a regular meeting of the Carrollton Township Board held June 26, 2017, the original of which proceedings is on file in my office. Public notice of said meeting was given to and in compliance with Act 267, Public acts of Michigan, 1976.

Signed: 
Jerry W. Fritz, Clerk

Date: June 26, 2017