

**CARROLLTON TOWNSHIP
SAGINAW COUNTY, MICHIGAN**

ORDINANCE NO. 2018-02

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. 14-120 OF THE CARROLLTON TOWNSHIP CODE OF ORDINANCES is hereby created to read as follows:

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

(1) The application shall contain or be accompanied by the following information:

- (a) The address of the residential rental property.
- (b) The unit classification, e.g., single-family, duplex, multifamily, or condominium.
- (c) The name, address and telephone number of the owner and authorized agent for the premises and any other person designated to be contacted in the event of an emergency at the premises.
- (d) A description of any other business operated or to be operated at the same premises.
- (e) The name, address, and telephone number of the owner's agent, representative or property manager responsible for management of the rental property, if different from the owner, or if the owner resides outside a 30-mile radius of Carrollton Township, an owner's agent, representative or property manager who is within a 30-mile radius of Carrollton Township is required.
- (f) Inspection report of inspector certifying the residential rental property for occupancy.

(2) The owner/licensee shall have a continuing obligation to provide the above information as it becomes available and if any information provided changes during the term of the license. The application shall also include an acknowledgement to be signed by the owner/agent/licensee stating that he or she has been informed of the following:

- (a) That the owner/agent/licensee shall be responsible for maintaining the rental property in compliance with all Carrollton Township codes.

- (b) That failure to maintain the rental property in compliance of the Carrollton Township Code may result in enforcement against the owner/agent/licensee by all means available to the township.
- (c) Violation of this article is a civil infraction. In addition, any violation may result in the revocation of a license under section 14-127. The township shall seek all legal remedies, including obtaining injunctive orders to restrain, correct or abate a violation and the costs incurred by the township in correcting a violation, including attorney fees, shall become a lien on the real property upon which the residential rental unit is located.
- (d) That all tenants are provided a lease disclosure letter which provides information regarding township regulations, including:
 - (1) Noise ordinance (chapter 22, article II);
 - (2) Blight elimination (chapter 26, article III);
 - (3) International Fire Code (chapter 26, article II);
 - (4) Parking of vehicles (chapter 66, article VI).

(3) This ordinance controls the conduct of owners, lessees, residents, members of resident's household, guests or any other persons under the resident's control. This ordinance and the following provisions are incorporated by reference in any non-owner occupied housing lease. Owner and licensee agree to maintain and enforce the following provisions in the lease:

- (a) 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.
- (b) 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.
- (c) Resident or members of the household shall not permit the residential rental unity 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.
- (d) 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 unity 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.

(4) 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 ordinance and any provisions of the lease, this ordinance shall govern.

SECTION II: REPEAL AND SAVINGS CLAUSE

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

SECTION III: PUBLICATION

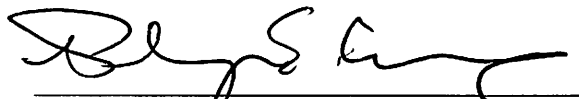
This Ordinance shall be published in a newspaper circulated within the Township of Carrollton within ten (10) days following the adoption thereof.


SECTION IV: EFFECTIVE DATE

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

Adopted: July 30, 2018
Published: August 9, 2018
Effective: September 9, 2018

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Phillip E. Abrey, 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. 2018-02, which was adopted at a regular meeting of the Carrollton Township Board held July 30, 2018, 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: July 30, 2018