

VILLAGE OF OXFORD
County of Oakland
State of Michigan

ORDINANCE NO. 417, ARTICLE V. RESIDENTIAL RENTAL ORDINANCE REGISTRATION AND OTHER, THE VILLAGE OF OXFORD ORDAINS:

Sec. 10-83. Purpose and intent.

For the health and safety of landlords and tenants and for the ongoing and general welfare of the public, the Village of Oxford recognizes the need for an organized registration program for residential rental units located within the Village to ensure, when determined to be necessary, that rental units in the Village are proactively identified and known to all public safety officials. The Village hereby finds that the most efficient system to achieve these objectives is a program requiring the registration of residential rental units within the Village.

Sec. 10-84. Definitions.

As used in this article, the following terms and words shall have the following meanings, unless the context clearly indicates that a different meaning is intended. Any term not specifically defined shall have its plain meaning.

Dwelling unit means a building, structure, mobile home, or portion thereof, designed for occupancy for residential purposes and having cooking facilities and sanitary facilities, except for the following:

- (1) Places of public accommodation such as a hotel, a motel, or a bed and breakfast establishment;
- (2) Units required to be occupied by an employee or agent of an owner as a written condition of employment (i.e., parsonages);
- (3) Any dwellings, dwelling units, or mobile homes, which the state has exclusive authority under existing and controlling state law to regulate;
- (4) The principal residence of the owner which is temporarily occupied by a person(s) other than the owner for not more than two (2) years;
- (5) The dwelling of a surviving spouse who is living in a home which is owned by the deceased spouse's heirs, estate, or trust;
- (6) A dwelling in which a parent, child, brother, or sister of an owner is living; and
- (7) Dwelling units in which an owner of such unit resides unless the nonowner occupant(s) of such dwelling unit pays rent or makes other forms of compensation to the owner for occupancy of the dwelling unit.

Landlord means any person who owns or controls a dwelling, dwelling unit, or rental unit and rents such unit, either personally or through a designated agent, to any person.

Owner means the legal title holder of a rental unit or the premises within which the rental unit is situated.

Owner-occupied rental unit means a rental unit that is occupied, in whole or in part, by an individual who is an Owner or whose name specifically appears on the deed for the property where the rental unit is located.

Person means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation or receiver, executor, personal representative, trust, trustee, conservator, or other representative appointed by order of any court.

Premises means a lot, plot, or parcel of land, including the buildings or structures thereon, which also includes dwelling units and dwellings.

Rental unit means any “dwelling unit” containing sleeping units, including but not limited to apartments, boarding houses, or sleeping rooms, which is leased or rented from the Owner or other person in control of such units, to any Tenant, whether by day, week, month, year, or any other term of time.

Responsible local agent means a natural person having his or her place of residence in the State of Michigan and designated by the property Owner as the agent responsible for operating such property in compliance with the ordinances adopted by the Village.

Tenant means any person who has the temporary use and occupancy of real property owned by another person in subordination to that other person's title and with that other person's consent; for example, a person who rents or leases all or part of a dwelling unit from a landlord.

Sec. 10-85. Requirements.

No person shall lease, rent, occupy, or otherwise allow a rental unit within the Village to be occupied, unless the following registration requirements are met.

- (a) The owner of the rental unit shall have registered the rental unit with the Village building official by completing and filing a current registration form with the Village building official of the Village; and
- (b) All fees charged, if any, by the Village for the registration of the rental unit shall be paid in full.

Sec. 10-86. Registration.

No person shall lease, rent, occupy, or otherwise allow a rental unit within the Village to be occupied without first registering the rental unit with the Village building official.

(a) *Registration forms.* Registration shall be made upon forms furnished by the building official and zoning department and shall require, at a minimum, all the following information.

- (1) The common street address of the rental unit(s).
- (2) The number and types of rental units within the dwelling unit.
- (3) Name, business and residence address, telephone number, and where applicable an e-mail address, mobile telephone number, and facsimile number of all property owners of the rental unit(s).
- (4) The maximum number of occupants proposed for each identified and registered rental unit.
- (5) The name, address, telephone number, and where applicable an e-mail address, mobile telephone number, and facsimile number of the person authorized to order repairs or services for the property if in violation of Village or state codes, if the person is other than the owner.
- (6) Information relating to the size of all habitable rooms in the dwelling unit used as part or all of each rental unit.

(b) *Accurate and complete information.* All information provided on the registration form shall be accurate and complete. No person shall provide inaccurate information for the registration of a rental unit or fail (omit) to provide the information required for such registration. The registration form shall be signed by the properly owner(s). Where the owner is not a natural person, the owner information shall be that of the president, general manager or other chief executive of the organization completing the registration process.

(c) *Change in registration information or transfer of property.* The property owner of a rental unit registered with the Village shall re-register within thirty (30) calendar days after any change occurs in the registration information. If the property is transferred to a new

owner, the new property owner of a registered rental unit shall re-register the rental unit within thirty (30) calendar days following the transfer of the property.

Sec. 10-87. Fees.

There is no fee or charge to register any rental unit in the Village.

Sec. 10-88. Maintenance of records.

All records, files and documents pertaining to the rental registration ordinance shall be maintained by the Village building official and made available to the public as allowed or required by state law.

Sec. 10-89. Penalty.

(a) Any person who shall violate a provision of this ordinance, or who fails to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provide by the State of Michigan and the Village of Oxford.

(b) Unless otherwise provided in this article, any person, firm, or corporation, or any owner of any building, structure, or premises, or part thereof, where any condition in violation of this article shall exist or shall be created, shall be responsible for a civil infraction. A violation includes any act which is prohibited or made or declared to be unlawful or an offense by this article, or any omission or failure to act where the act is required by this article. Upon a finding of responsibility, a defendant shall be responsible for a civil fine for each infraction as provided for in this section, infra, plus any costs, damages, expenses, and other sanctions, as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.

(c) For a first offense, a civil fine of not less than one hundred dollars (\$100.00) plus costs shall be levied. The civil fine for any first repeat offense shall be not less than two hundred dollars (\$200.00) plus costs. A civil fine for any offense which is a second repeat offense, or any subsequent repeat offense shall be not less than five hundred dollars (\$500.00) plus costs. A sanction shall be a civil fine as provided for above, plus costs, damages, expenses, and other sanctions, as authorized under Chapter 87 of Act No 236 of the Public Acts of 1961, as amended, and other applicable laws. As used in this section, "repeat offense" means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision (i) committed by a person or entity within any twelve-month period and (ii) for which the person admits responsibility or is determined to be responsible.

(d) Each day on which any violation of this article continues shall constitute a separate offense and shall be subject to penalties or sanctions as a separate offense. In addition to any remedies available at law, the Village may bring an action for an injunction or other process against a person to restrain, prevent or abate any violation of any section of this article which is declared to be a civil infraction.

(e) In the event that a person or entity who is found responsible fails to obey any correction order or order of mandamus which may be issued by a court, such person or entity may be required by a court of law to pay all reasonable costs and expenses which are incurred by the Village in making the corrective action or actions.

Sec. 10-90. Other enforcement actions.

The Village shall have the right to obtain an order of mandamus and/or an injunction to enforce the terms and conditions of this ordinance. All remedies which are provided by this article shall be cumulative.

Sec. 10-91. Severability and captions.

This article and the various parts, sections, subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the article shall not be affected thereby. The captions included at the beginning of each section are for convenience only and shall not be considered a part of this article.

Sec 10-92. Repeal.

All resolutions, ordinances, orders, or parts thereof in conflict in whole or in part with any of the provisions of this article are, to the extent of such conflict, hereby repealed.

Teresa L. Onica, CMC
Village of Oxford Clerk/Treasurer
Adopted: April 12, 2022
Publication Date: April 20, 2022
Effective Date: May 19, 2022



Kelsey Cooke, Village Council President

CERTIFICATION:

I, Teresa L. Onica, the duly appointed and acting Clerk of the Village of Oxford, Oakland County, Michigan do hereby certify that the foregoing Ordinance 417, ARTICLE V. RESIDENTIAL RENTAL ORDINANCE REGISTRATION AND OTHER, was adopted by the Village of Oxford Council by Roll Call Vote at a regular meeting held on the 12th day of April 2022, at which a quorum was present and voting. This ordinance will take effect 30-days following publication.



Teresa L. Onica