

Article VIII –Taxation & Business Regulation
Chapter 832 – Residential Rental Property Standards
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Chapter 832.01	Purpose
Chapter 832.03	Definitions
Chapter 832.05	Landlord Requirements
Chapter 832.07	Standards & Inspections
Chapter 832.09	Appeal Process
Chapter 832.11	Violations & Penalties

832.01 PURPOSE

It is the purpose of the ordinance to increase the public safety and well-being by maintaining residential rental properties at a minimal standard that rental properties in the Village of Lake Isabella are safe, habitable, and kept in conditions that are in compliance with the ordinances of the Village of Lake Isabella.

832.03 DEFINITIONS

The definitions found in the zoning code of the Village of Lake Isabella and those listed herein shall serve as the foundation for all definitions in this Chapter:

1. **Exit** – A Continuous and unobstructed means of egress to a public way, and shall include intervening doorways, corridors, ramps, stairways, smoke proof enclosures, horizontal exits, exit courts, and yards.
2. **Habitable Floor Space** – Space in a structure with a minimum clearing from floor the bottom of the ceiling of seven feet (7’) for living, sleeping, eating or cooking. Bathroom, toilet rooms, closets, hallways, storage, utility spaces, and similar areas shall not be considered habitable floor space.
3. **Inspections Officer** - Any person such designated as a Code Enforcement Officer by the Village of Lake Isabella.
4. **Occupant** – Any person living or sleeping in a dwelling.
5. **Owner** – Any person, who alone or jointly or severally with others:
 - (a) Shall have legal or equitable title to any dwelling.
 - (b) Shall have charge, care or control of any dwelling, as owner or agent of the owner, or as the executor, administrator, trustee or guardian of the estate of the owner.
 - (c) Any such person acting on behalf of, or caring for the property of the title owner shall be bound to comply with the provisions of this ordinance and the rules and regulations of the Village of Lake Isabella.

Chapter 832 – Residential Rental Property Standards

6. **Rent** – Any payment for the use of a dwelling or a portion of a dwelling, including but not limited to payment of money or goods or the performance of services of labor or the payment of taxes or utilities.
7. **Short-term Rental** – Any dwelling, or portion thereof, that is available for use or is used for accommodations or lodging of guests, paying a fee or other compensation for a period less than twenty-eight (28) consecutive days.
8. **Tenant** – An occupant who pays rent for a dwelling.
9. **Window** – A glazed opening, including glazed doors, which open upon a yard, or recess from a court.

832.05 LANDLORD REQUIREMENTS

Property owners shall comply with all of the following conditions:

1. Following the change of tenants of a dwelling, the new tenants shall be provided with a clean, healthful, and safe dwelling which meets the minimum standards contained in this Chapter, and which complies with other applicable codes of the Village of Lake Isabella, Isabella County, and the State of Michigan.
2. Structures and exterior areas shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated in a manner not injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.
3. Maintain the areas visible from any public right-of-way and adjacent residential properties in and around a dwelling in a clean, safe and sanitary condition.
4. Maintain and repair any equipment specified in this code in a workmanship like manner that they are required to provide. This includes but is not limited to; plumbing, heating, ventilating, electrical systems, windows, and steps. When and where discrepancy occurs as to what “workmanship like manner” is, the most current version of the International Property Maintenance Code shall govern.
5. In the event that a Tenant requests an inspection by an Inspection Officer of the Village of Lake Isabella to provide access for an inspection. The Inspections Officer shall have the right to enter and inspect the property during reasonable times of the day at the request of the landlord, tenant or occupant; and in emergency circumstances where health, welfare, or property of a person is in danger.
6. To not allow a dwelling that is zoned for single-family residential use to be used or occupied in a manner that violates the definition of “single-family” in the zoning code for the Village of Lake Isabella. This includes using all or any portion of the dwelling as a Short-Term Rental as defined herein in any single-family zoning districts. In all other districts Short-term rentals

Chapter 832 – Residential Rental Property Standards

may be allowed if do so via an approved use in the zoning code such as a Hotel/Motel, Lodge, or similar use as allowed in the zoning code.

832.07

STANDARDS & INSPECTIONS

1. Properties offered or used as a rental dwelling, shall comply with the following minimum standards of habitation:
 - (a) Bathroom Equipment
 1. At least one operating flush toilet with at least 18 inches of clear space in front of the toilet
 2. At least one sink connected to usable hot and cold running water.
 3. At least one bathtub or shower stall connected to usable hot and cold running water.
 4. All bathrooms and powder rooms shall be contained within a separate room providing privacy from other portions of the dwelling.
 - (b) Exits
 1. All rental dwellings shall be provided with at least two (2) independent fire escape routes. An escape route such as an exterior porch roof, an accessible window, or landing may constitute an independent fire escape route.
 2. Every bedroom shall have at least one (1) operable ingress/egress window or exterior door constructed to permit emergency exit or rescue.
 3. Where no exterior door or window exists in a bedroom, two (2) doors are required. Each door must lead to an independent exit of the unit.
 - (c) Fire Extinguishers
 1. Every rental dwelling shall have located inside of the premises to at least one (1) fire multi-purpose extinguisher, preferably located in the kitchen area or utility room area or in a location of clear and obvious view.
 - (d) Handrails and Guardrails
 1. Handrails not less than thirty (30) inches in height, nor more than thirty-four (34) inches, shall be provided for and maintained on at least one side of a stairway or steps with three or more risers.
 2. Porches, balconies, landings, or raised floors located more than forty (40) inches above the floor or grade shall have a guardrail not less than thirty (30) inches in height.
 3. If the basement is not used as a living space these requirements do not apply to basement areas.
 - (e) Kitchen Equipment & Appliances
 1. At least one sink connected to usable hot and cold running water.

Chapter 832 – Residential Rental Property Standards

2. If any appliances are provided for by the owner such as but not limited to stoves, ovens, ranges, refrigerators, freezers, washing machine, clothes dryer, or iceboxes such appliances shall in full working order.
- (f) Smoke Detectors
1. All dwellings are required to have at least one operational smoke detector with a non-removable lithium battery, or be hard-wired directly to the structure's electrical system, on each floor.
- (g) Stairways and Steps
1. All stairways and steps, whether inside or outside, shall be maintained in a safe condition. Stairways between stories shall properly illuminated.
- (h) Windows and Doors
1. All windows and doors of a rental dwelling shall be safe and operational. Window panes shall be intact and free from holes and/or cracks. Broken windows shall be replaced in a reasonable time.
 2. All exterior doors shall be equipped with at least one key type lock.
 3. Exterior windows if designed to be either open or closed shall have a latch or key type locking mechanism.
- (i) Exterior Appearance & Parking
1. If the dwelling is a mobile home, all exterior skirting shall be firmly attached to the dwelling on all sides.
 2. All decks and steps shall be in firm condition with no gaps or broken boards or pieces.
 3. All external lighting shall be in working order and comply with the Village of Lake Isabella lighting code standards.
 4. . The Owner shall provide off-street parking in driveways and other areas which comply to the Codified Ordinances of the Village of Lake Isabella for the vehicles and trailers of the Tenant.
 5. Lawns and landscaping shall be provided for and maintained.
 6. Sufficient waste receptacles shall be used to keep trash and refuse in closed container, and such trash or refuse shall be removed weekly.
- (j) Interior Walls, Floors, and Ceilings
1. All interior walls, floors, and ceilings shall be in sound condition, free from gaps or holes which could be a danger to the occupants.
- (k) Occupancy Threshold
1. Occupancy shall comply with the minimum standards of the following table:

Chapter 832 – Residential Rental Property Standards

Space	Minimum Floor Area in Habitable Square Feet	
	Up to 6 Occupants	7 or more Occupants
Living Room	120	150
Dining Room	80	100
Kitchen	60	80
Bedrooms	Every bedroom occupied by 1 person shall contain at least 70 square feet of habitable floor area.	
Minimum Room Width	A habitable room, other than a kitchen, shall not be less than 7 feet in any plan dimension.	

2. Bedrooms shall not constitute the only means of access or egress to other bedrooms or other habitable spaces. Every bedroom shall have access to at least one water closet/lavatory without passing through another bedroom.
2. Upon completion of the inspection the Inspections Officer shall, if the dwelling passes the above criteria, sign and date the inspection report.
3. If for any reason the property to be rented fails the inspection the owner shall make any repairs or modifications needed to gain approval and upon completion of such repairs and/or modifications request a second inspection in order to comply with the minimum standards contained in this Chapter.

832.09 APPEAL PROCESS

If any owner or agent desires to appeal the results of their inspection they may do so by filing a written objection to the Zoning Board of Appeals. The objection shall be filed at as required by the zoning code. The ZBA shall review the objection and may grant approval of to the owner or agent. The ZBA may also table the request to allow for any desired repairs or modifications be made for their approval. The decision of the ZBA shall be final.

832.11 PENALTY

1. Any person, firm, corporation, trust, partnership, or other legal entity which violates or refuses to comply with any provision of this chapter shall be responsible for a municipal civil infraction and shall be subject to fines, costs, and other relief as provided for in Chapter 222 of the codified ordinances of the Village of Lake Isabella.
2. In addition to any other penalties or remedies available, the Village is authorized and empowered to direct the property owner to remove or otherwise abate the nuisance. If such notice is given, it shall be in writing, addressed to the property owner as it appears on the latest ad valorem property tax assessment roll, or current owner if such is different and known to the Village and be mailed via first class or posted at the property in violation, and shall inform the property owner of the following:
 - a. The nature of the violation/nuisance

Chapter 832 – Residential Rental Property Standards

- b. The time in which the violation/nuisance must be abated.
3. Upon failure, neglect or refusal of any property owner to comply with the provisions of this chapter, the Village or its authorized contractor, or other designee, is authorized and empowered to enter the property owner's property to abate the nuisance, or to provide and to make payment for the abatement of the nuisance maintained.
4. When the Village abates a nuisance as provided herein, the cost of any abatement, including legal expenses and the authorized administrative fee will be billed to the property owner. The cost and fee will be a debt of the property owner to the Village, which may be assessed as a single lot assessment in accordance with Chapter 214 of the codified ordinances of the Village of Lake Isabella, and shall constitute a lien against the property, including interest, until paid, and enforced and collected in the same manner as ad valorem property taxes.
5. The failure to receive the notice as provided for in subsection (2) is not a defense to any action brought by a member of the public for injury or by the Village to collect the costs of abatement or impose penalties or other fees authorized by this article.