

CITY OF MOUNT PLEASANT

ORDINANCE NO. 1017

AN ORDINANCE TO AMEND SECTIONS 152.004 AND 152.007 OF THE CODE OF ORDINANCES FOR THE CITY OF MOUNT PLEASANT TO ADOPT PROVISIONS OF THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE BY REFERENCE

It is Hereby Ordained by the People of the City of Mount Pleasant:

Section 1. Amendment. Sections 152.004 and 152.007 of the Code of Ordinances for the City of Mount Pleasant are amended to read as follows:

§ 152.004. DEFINITIONS.

The definitions in Chapter 2 of the 2012 Edition of the International Property Maintenance Code are adopted as part of this Code. The following definitions shall also apply unless the context clearly indicates or requires a different meaning.

BOARDING DWELLING. A rooming dwelling where meals are provided.

BUILDING, EXISTING. A building constructed prior to this Code or one which was built pursuant to a valid building permit.

CEILING HEIGHT. The clear vertical distance from finished floor to the finished ceiling.

DESIGNATED AGENT. A person, firm or corporation acting on behalf of, representing, or caring for the property on behalf of the owner.

DWELLING. A building including manufactured homes, used in whole or in part for human habitation.

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.

FAMILY. A family is defined as one of the following:

(1) One or more persons related by blood, marriage, adoption or guardianship, plus not more than one person not so related, living as a single housekeeping unit in all zoning districts of the City.

(2) Two persons plus their offspring living as a single housekeeping unit in all residential zoning districts in the City.

(a) One professional caregiver such as a nurse, nanny, physical therapist, etc., caring for either of the persons or their offspring may also reside in the dwelling.

(b) *OFFSPRING* means descendants, including biological offspring, adopted children, foster, and legal wards.

(3) A functional family living as a single housekeeping unit which has received a permit pursuant to the Mount Pleasant Zoning Ordinance.

FIRE OFFICIAL. The duly appointed city Fire Official or a regularly authorized assistant.

FUNCTIONAL FAMILY. A group of people plus their offspring having a relationship which is functionally equivalent to a family. The relationship must be of a permanent and distinct character with a demonstrable and recognizable bond characteristic of a cohesive unit. *FUNCTIONAL FAMILY* does not include any society, club, fraternity, sorority, association, lodge, organization or group of students or other individuals where a common living arrangement or basis for establishment of a housekeeping unit is temporary.

GOOD REPAIR. Suitable general condition after repair.

GUEST ROOM. Any room or rooms used, or intended to be used by a guest which is a person sharing a rooming or dwelling unit in a non-permanent status for not more than 72 hours, for sleeping purposes. Every 100 square feet of superficial floor area in a dormitory is a guest room.

HABITABLE ROOM. Any room meeting the requirements of this Code for sleeping, living, cooking or dining purposes excluding such enclosed places as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, foyers, storage spaces, unfinished attics, utility rooms, cellars and similar spaces.

HOTEL and MOTEL. A building containing six or more guest rooms used for the accommodation of transient guests, whether rented or hired out to be occupied or are occupied for sleeping purposes by guests whether rent is paid in money, goods, labor, or otherwise. If used or intended to be used or designed primarily for accommodation of transient or non-transient guests, the designation given by the owner (such as hotel, motel, motor inn, or similar) may (but is not required) be used in determining its classification. It does not include any jail, hospital, or institution in which human beings are housed and detained under legal restraint.

HUMAN HABITATION. Living quarters used by people whether for a portion of a day or longer, containing certain provisions for sleeping and may include provisions for living, cooking, dining, and sanitation.

MANUFACTURED HOME. A structure, transportable in one or more sections, which, in the traveling mode, is eight body-ft. (2.4 m) or more in width or 40 body-ft. (12.2 m) or more in length or, when erected on site, is 320 ft² (29.7 m²) or more and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes plumbing, heating and electrical systems contained therein; except that such terms shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the regulatory agency. Calculations used to determine the number of square feet in a structure are based on the structure's exterior dimensions, measured at the largest horizontal projections when erected on-site. These dimensions include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows.

MULTI-FAMILY DWELLING. A building containing three or more dwelling units.

OWNER. The record title owner of a parcel that is the site of a rented or leased building to which this Code applies.

OCCUPANT. A person residing in a rented or leased building to which this Code applies.

ROOMING DWELLING. A building containing one or more units that is approved for use by three or more persons, not meeting the definition of a family, per dwelling unit. This is also known as a *ROOMING HOUSE*.

SUPERFICIAL FLOOR AREA. Is the net floor area within the enclosing walls of the room in which the ceiling height is not less than five feet excluding built-in equipment such as wardrobes, cabinets, kitchen units, or fixtures.

TWO-FAMILY DWELLING. A building used exclusively or designed for occupancy of two individual families living independently of each other.

§ 152.007. REFERENCED CODES AND STANDARDS.

Chapters 3 through 8 of the 2012 edition of the International Property Maintenance Code are hereby adopted as part of this Code and shall apply to all buildings subject to the Code except as added, amended or deleted, as follows:

Add 301.4 Owner-occupied rental. Owner occupied portions of residential dwelling buildings shall be inspected annually to insure that a non-owner occupant of that residential dwelling building will not be subject to risk because of safety or sanitary conditions existing in the owner-occupied portion of the residential dwelling building.

Add 301.5 New rental properties. Each dwelling added to the housing licensing program after the adoption date of this Code, shall be considered as new construction with respect to fire resistance rate construction, fire protection systems and means of egress and shall comply with all sections of this Code and all other applicable codes.

Amend 302.4 Weeds. The regulation of noxious weeds shall be enforced in accordance with Section 96.05 of the Mt. Pleasant Code of Ordinances, entitled Lawn Maintenance; Height; Removal of Noxious Weeds.

Amend 302.8 Motor Vehicles. The regulation of motor vehicles shall be enforced in accordance with Section 96.09 of the Mt. Pleasant Code of Ordinances, entitled Inoperative Motor Vehicles.

Amend 304.14 Insect screens. Every door, window and other outside opening required for ventilation (see § 403.1) of habitable rooms, food preparation areas, food service areas or any area where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging screen or storm door shall have a self-closing device in good working condition.

Amend 304.18.1 Doors. Each dwelling added to the housing licensing program after the adoption date of this Code, shall provide all doors providing access to a dwelling unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than one-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

Add 304.18.4 Room security. Each rooming dwelling added to the housing licensing program after the adoption date of this Code, shall have positive latching, lockable door hardware, on each sleeping room.

Delete 308.2.1

Delete 308.3.1

Delete 308.3.2

Add 308.4 Garbage facilities shall be constructed and maintained in compliance with the City of Mt. Pleasant zoning requirements and Chapter 50 of the City Code of Ordinances.

Add 308.5 Occupant responsibility. Occupants of all dwellings are required to comply with Chapter 50 of the City Code of Ordinances.

Amend 403.1 Habitable spaces. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

Exception: Where rooms and spaces without openings to the outdoors comply with the Michigan Residential Code for light and ventilation in habitable rooms.

Add 403.6 Sleeping rooms with two doors. Sleeping rooms with an exterior door in lieu of a window, shall be provided with a screen door at the exterior for ventilation.

Add 404.3.2 Elevated sleeping surface. Lofts, bunk beds or other elevated sleeping surfaces shall be installed not closer than 30 inches from the top of the sleeping surface to the ceiling of the room.

Lofts, bunk beds or other elevated sleeping surfaces shall not block any opening or window that is a required means of egress by any applicable code.

Amend 404.3 Minimum ceiling heights for rentals added to the housing licensing program after the adoption date of this code. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas may be approved to be less than 7 feet if the following conditions are met:

1. Ceiling height shall not be less than 6 feet 8 inches and the ceiling must be at least 3 feet 6 inches in width at that height across the length of the room.
2. Bedrooms must have at least one window which meets the current minimum egress size requirements of the local adopted building code.
3. The smoke detectors must meet the minimum requirements of the local adopted building code.
4. In habitable spaces where the ceiling height is less than 8 feet, ceiling paddle fan blades shall have a clearance height of 7 feet to the floor.

Delete Exceptions to Section 404.3

Amend 404.4.2 Access from bedrooms. Each dwelling added to the housing licensing program after the adoption date of this Code shall not have bedrooms which constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Add 404.8 Minimum floor area. Each dwelling subject to this Code shall have the minimum number of square feet of total floor area as set forth in Chapter 154 of the City Code of Ordinances, except as provided in § 154.007.

Amend 602.3 Heat Supply. Heat shall be supplied so as to maintain a minimum temperature of 68° F (20°) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in the Michigan Plumbing Code.
2. In areas where the average monthly temperature is above 30° F (-1° C) a minimum temperature of 65° F (18° C) shall be maintained.

Add 702.5 Emergency escape. Emergency escape and rescue openings shall be provided and installed in accordance with this Code, as follows:

702.5.1 Emergency escape and rescue openings for existing rental dwellings shall be provided and installed in accordance with the Michigan Rehabilitation Code for Existing Buildings.

702.5.2 Emergency escape and rescue openings for each dwelling added to the housing licensing program after the adoption date of this Code shall be provided and installed in accordance with the Michigan Residential Building Code.

Add 703.3 Under-stair protection. Enclosed accessible spaces under stairs shall have the walls, under stair surface and any soffit protected on the enclosed side with minimum 1/2 inch gypsum wallboard, taped and finished. Use of under stair storage areas, which pose difficulty for compliance with this Code, shall be discontinued and permanently sealed from future use. Under stair mechanical areas, which pose difficulty for compliance with this Code, may be protected by the installation of domestic water sprinkler head(s) to completely protect the area.

Add 703.4 Separation required. Each dwelling subject to this Code with attached garage or storage areas shall have a fire separation extending the full width and height of the common wall(s) with the living portion of the structure. All separations shall be designed and installed in accordance with the

Michigan Residential Building Code. If the living space of the structure is located above a garage space, the common floor/ ceiling between the two spaces shall be separated in accordance with the garage separation section of this and all applicable codes. Fire resistance-rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend tight to and be sealed to the underside of the roof sheathing.

Amend 704.2 Smoke alarms. Each dwelling added to the housing licensing program after the adoption date of this Code shall have smoke alarms installed in accordance with the Michigan Residential Building Code. Dwellings licensed on or before the adoption date of the Code shall comply with State of Michigan law as amended for the Michigan Building Code (R408.30446), the Michigan Residential Building Code (R408.30546) and the Michigan Rehabilitation Code (R 408.30566). In addition, existing buildings constructed after November 6, 1974, that do not comply with state law shall conform to state law when battery operated smoke alarms expire. Finally, when any new smoke alarm is installed in any dwelling licensed under this Code after this date, the smoke alarm shall comply with the following provisions:

704.2.1 A smoke alarm shall receive its primary power from the building wiring (provided that such wiring is served from a commercial source) and shall be equipped with a back-up battery.

704.2.2 A smoke alarm shall be sealed and have a non-removable, non-rechargeable battery which will last ten (10) years.

Delete 704.3

Delete 704.4

Add 704.5 Early detection with elevated sleeping surfaces. Sleeping rooms or areas with elevated sleeping surfaces such as bunk beds or lofts shall require the installation of a smoke detector in said sleeping room. It shall be the responsibility of the provider of the loft or bunk to provide a smoke detector that is sealed and has a non-removable, non-rechargeable battery that is capable of operating the smoke alarm in the normal condition for a life of at least 10 years. This smoke detector must be mounted on the ceiling surface in accordance with manufacturers requirements.

Add 704.6 Smoke alarm maintenance. Smoke alarms shall be maintained in good working condition and shall be replaced in accordance with the manufacturer's recommendations and the detector listing. Smoke alarms shall be maintained free of accumulations of dirt, dust and other materials that may impede operation. Covers shall be maintained on all alarm units for proper testing.

Section 3. Publication and Effective Date. The City Clerk shall cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance shall take effect 30 days after its adoption.

Kathleen Ling, Mayor

Jeremy Howard, City Clerk

Introduced: September 26, 2016
Adopted: October 12, 2016
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Effective: November 11, 2016