

# Village of Laurium

310 Hecla Street, P.O. Box 627  
Laurium, MI 49913-0627

Phone: (906) 337-1600  
Fax (906) 337-4461

## ORDINANCE NO. 2023-01: REGISTRATION OF RENTAL DWELLING UNITS

### VILLAGE OF LAURIUM, MICHIGAN

**WHEREAS**, an Ordinance enforcing the requirement to register rental dwelling units within the Village of Laurium.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF LAURIUM, MICHIGAN, THAT:

#### **SECTION 1. DEFINITIONS.**

The following words, terms, and phrases when used in this Ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

1. "Code Enforcement Officer" means the person appointed by the Village of Laurium Manager as the Code Enforcement Officer.
2. "Local agent" means an individual or company representing the Owner or Owners of a rental dwelling unit.
3. "Owner" means all individuals, companies, corporations, limited liability companies, governmental or private agencies, religious organizations, and all other entities who are shown as the Owner or Owners of real property in the records of the Houghton County Register of deeds or as the purchaser or purchasers of real property under a land contract or memorandum of land contract recorded in the records of the Houghton County Register of Deeds.
4. "Rental dwelling unit" means a distinct individual living quarters within a building within the Village for which rent or other remuneration is paid or a benefit of any kind is conferred to one (1) or more Owners.
5. "Immediate Family Member" shall mean mother, father, brother, sister, child, or spouse of an Owner who is an individual and who owns at least fifty percent (50%) of a rental dwelling unit.

#### **SECTION 2. INITIAL REGISTRATION OF RENTAL DWELLING UNIT.**

1. Within thirty (30) days of the effective date of this Ordinance, the Village shall publish one (1) time in a newspaper of general circulation within the local area a notice summarizing the registration requirements of this section. The Village shall also mail a copy of said notice by first class mail to the Owner of record of each property listed in the assessment rolls of the Village on the effective date of this Ordinance as residential property which does not qualify for a one hundred percent (100%) homestead property tax exemption.
2. Within ninety (90) days after the effective date of this Ordinance, an Owner of every

building containing a rental dwelling unit within the limits of the Village shall designate a Local Agent if required by this Ordinance and register each rental dwelling unit in the Village with the Code Enforcement Officer by filing with the Code Enforcement Officer a registration form provided by the Village. A separate registration form shall be filed for each building containing one (1) or more rental dwelling units.

**SECTION 3. REGISTRATION INFORMATION TO BE CONTAINED IN REGISTRATION FORM.**

The following information shall be provided on the registration form by an Owner:

1. Name, home or business address, day/evening telephone numbers, and email address of each Owner.
2. If a Local Agent is required by this Ordinance, the Local Agent's name, home address, day/evening telephone numbers, and email.
3. Street address of the building containing one (1) or more rental dwelling units (includes a multi-unit building in which an Owner lives).
4. Total number of rental dwelling units in a building containing more than one (1) rental dwelling unit.
5. The separate identifying address of each rental dwelling unit in a building containing more than one (1) rental dwelling unit.
6. Signature of an Owner attesting to the truthfulness of the information provided. If an Owner is not an individual, only a duly authorized officer or administrator of the entity may sign the registration form.

**SECTION 4. ISSUANCE OF CERTIFICATE OF REGISTRATION.**

1. The Code Enforcement Officer shall examine each registration form for a rental dwelling unit's completeness and, if complete, shall issue a Certificate of Registration for the unit. The Certificate of Registration shall be mailed to the Owner who submitted the form by the Code Enforcement Officer or their designee. If the registration form is incomplete, the Code Enforcement Officer shall not make more than two (2) attempts to contact the Owner who submitted the form (by telephone, mail, email, or in person) to have the Owner who submitted the form properly complete the registration form.
2. Failure of an Owner to file a complete registration form with the Code Enforcement Officer for each rental dwelling unit within the time limits prescribed in this Ordinance shall constitute a violation of this Ordinance. The violation shall be deemed to have been committed by all Owners of the rental dwelling unit.

**SECTION 5. FOLLOW-UP REGISTRATION.**

After the initial ninety (90) day registration period set forth in Section 2(2) of this Ordinance, rental dwelling units shall be registered as follows:

1. Newly constructed rental dwelling units shall be registered prior to the issuance of a final certificate of occupancy.
2. A rental dwelling unit sold, transferred, or conveyed shall be re-registered by a new Owner within thirty (30) days of the date of the deed, land contract, or other instrument of conveyance. Purchase and sale agreements for buildings containing

rental dwelling units shall advise the purchaser or purchasers of the requirement to re-register the units under this Ordinance. At the time of re-registration, the units will be removed from the previous Owner's registration. Registrations are non-transferable.

3. Any building or portion of a building that is converted to a rental dwelling unit shall be registered prior to the date it is occupied for rental purposes.

#### **SECTION 6. CHANGES IN REGISTRATION INFORMATION.**

If any information on the registration form changes after the issuance of a Certificate of Registration, it shall be the responsibility of each Owner or each Owner's local agent to notify the Code Enforcement Officer within ten (10) days of the date of the change, and to provide correct or updated information in writing to the Code Enforcement Officer within said ten (10) day period.

#### **SECTION 7. FEES.**

There shall be no fee for the registration, re-registration, or updating of registration information within the allotted time periods. If a rental dwelling unit is not registered within the allotted time periods specified herein, then a late fee of \$100.00 per unit shall be paid by the Owner or Owners. If there are multiple Owners of a rental dwelling unit, the late fee shall be the joint and several liability of the Owners. This late registration fee shall not become effective until ninety (90) days after the effective date of this Ordinance.

#### **SECTION 8. MAINTENANCE OF RECORDS.**

The Code Enforcement Officer shall be responsible for maintaining and updating all rental dwelling unit registration forms and Certificates of Registration, and for providing a semi-annual report to the Village Manager and Village Council of the number of rental dwelling units. The semi-annual report shall also identify the rental dwelling units by type (single family, duplex, multi-unit, apartment houses, rooming houses, etc.), and the number and type of units added to or deleted from the registration roster since the last semi-annual report.

#### **SECTION 9. LOCAL AGENT REQUIRED.**

The Owner or Owners of each rental dwelling units must have a Local Agent who will be responsible for the operation of the rental dwelling unit if no Owner of the rental dwelling unit has a principal residence or principal place of business within thirty (30) miles of the rental dwelling unit. For purposes of this definition, "principal residence" shall have the same meaning attributed to it for purposes of real estate taxation and "principal place of business" shall mean the place where the entity conducts most of its business, regardless of any contrary registered or official address.

#### **SECTION 10. EXEMPTIONS.**

The provisions of this ordinance shall not apply to the following:

1. Family occupancy: Sole occupancy by only immediate family members of an Owner who is an individual.
2. House-sitting: Occupancy of less than ninety (90) days to accommodate the temporary absences of an Owner who is an individual and for which no rent is paid.

3. Continued possession after closing of sale: Occupancy of a one (1) or two (2) family dwelling by the seller or sellers of the one (1) or two (2) family dwelling for a period of less than ninety (90) days following the closing of the sale.
4. Estate Representative, Trustee, or Guardian: Occupancy of a dwelling by a personal representative, trustee, or guardian of an estate and the parents and children of such persons where the dwelling was Owner-occupied for the last year prior to the Owner's death or disability, and the occupancy does not exceed two (2) years from the date of death or disability of the Owner, provided that the personal representative, trustee, or guardian notifies the Code Enforcement Officer of the Owners' name, date of death or disability, and name of the person occupying the premises.

#### **SECTION 11. PENALTY FOR FAILURE TO COMPLY.**

Failure to comply with any provision in this Ordinance shall constitute a misdemeanor, which upon conviction thereof, shall subject the violator to a fine of up to \$500.00 together with the costs of such prosecution. The submission of false information on a rental dwelling unit registration form shall constitute a misdemeanor, which upon conviction thereof, shall subject the violator to a fine of up to \$500.00 together with the costs of such prosecution.

#### **SECTION 12. SEVERABILITY.**

If any portion or section of this ordinance or its application to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the validity of the remaining portions or applications.

#### **SECTION 13. DISCLAIMER OF LIABILITY.**

A rental registration is not a warranty or guarantee that there are no defects in the rental dwelling or unit and does not warrant, guarantee, or imply that a rental unit inspection has occurred. The Village of Laurium shall not be held liable for defects in the rental property or compliance with applicable building and fire codes.

#### **SECTION 14. EFFECTIVE DATE.**

This Ordinance shall take effect thirty (30) days after the date of its adoption, unless a petition signed by not less than ten (10) percent of the registered electors of the Village is filed with the Village Clerk or Village Office within such thirty (30) days. If a petition is filed within such period, this ordinance shall then take effect only upon its approval at the next Village election held on the question of whether the ordinance shall be approved. Notice of the delayed effect of this ordinance, and the right of petition under this section, shall be published separately at the same time and in the same manner as the ordinance or a notice of the ordinance is published in a local newspaper of general circulation.

#### **SECTION 15. ADOPTION.**

This ordinance shall be adopted by an affirmative vote of at least two-thirds of the members of the Village Council.

#### **SECTION 16. PUBLICATION.**

The Village Clerk shall certify to the adoption of this ordinance and cause the same to be published as required by law.

Yeas: Carlson, Erickson, Galbraith, Jenich-Laplander, Pietila and Sullivan.

Nays: None.

Ordinance Declared Adopted

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Village Clerk

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Patricia M. Golus  
Clerk, Village of Laurium

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John Sullivan  
President, Village of Laurium

I hereby certify that the foregoing is a true and complete copy of Ordinance No. 2023-01, adopted by the Village Council of the Village of Laurium, County of Houghton, State of Michigan, at a regular meeting held on the 17th day of January, 2023. This meeting was conducted, and public notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, Act 267, Public Acts of Michigan 1976.

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Patricia M. Golus  
Clerk, Village of Laurium