

HOUSE BILL No. 5935

June 29, 1990, Introduced by Reps. Gubow and DeMars and referred to the Committee on Urban Affairs.

A bill to amend sections 2, 125, 129, and 143 of Act No. 167 of the Public Acts of 1917, entitled as amended "Housing law of Michigan," being sections 125.402, 125.525, 125.529, and 125.543 of the Michigan Compiled Laws; and to add section 2b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 2, 125, 129, and 143 of Act No. 167 of
2 the Public Acts of 1917, being sections 125.402, 125.525,
3 125.529, and 125.543 of the Michigan Compiled Laws, are amended
4 and section 2b is added to read as follows:

5 Sec. 2. (1) ~~Definitions. Certain words in this act are~~
6 ~~defined for the purposes thereof as follows: Words used in the~~
7 ~~present tense include the future; words in the masculine gender~~
8 ~~include the feminine and neuter; the singular number includes the~~

~~1 plural and the plural the singular; the word "person" includes a~~
~~2 corporation as well as a natural person.~~ AS USED IN THIS ACT:

3 (A) "ATTIC" MEANS A PORTION OF A BUILDING SITUATED PARTLY OR
4 WHOLLY IN THE ROOF SPACE. AN ATTIC THAT IS USED ONLY AS A POR-
5 TION OF A PRIVATE OR 2-FAMILY DWELLING IS NOT COUNTED AS A STORY,
6 UNLESS THERE ARE MORE THAN 2 ROOMS SUITABLE FOR LIVING PURPOSES
7 ON THIS FLOOR. FOR THE PURPOSE OF THIS SUBDIVISION, ROOMS OF 160
8 SQUARE FEET OR MORE ARE COUNTED AS 2 OR MORE ROOMS, EACH 80
9 SQUARE FEET BEING CONSIDERED 1 ROOM. AN ATTIC THAT IS OCCUPIED
10 BY A SEPARATE FAMILY SHALL BE COUNTED AS A STORY. AN ATTIC USED
11 FOR LIVING PURPOSES IN A MULTIPLE DWELLING IS COUNTED AS A
12 STORY.

13 (B) "BASEMENT" MEANS THAT PORTION OF A BUILDING PARTLY BELOW
14 GRADE BUT LOCATED SO THAT THE VERTICAL DISTANCE FROM GRADE TO THE
15 FLOOR IS NOT GREATER THAN THE VERTICAL DISTANCE FROM THE GRADE TO
16 THE CEILING. IF THE VERTICAL DISTANCE FROM THE GRADE TO THE
17 CEILING IS 5 FEET OR MORE, THE BASEMENT IS COUNTED AS A STORY.

18 (C) "CELLAR" MEANS THAT PORTION OF A BUILDING PARTLY BELOW
19 GRADE BUT LOCATED SO THAT THE VERTICAL DISTANCE FROM THE GRADE TO
20 THE FLOOR IS GREATER THAN THE VERTICAL DISTANCE FROM THE GRADE TO
21 THE CEILING. IF THE VERTICAL DISTANCE FROM THE GRADE TO THE
22 CEILING IS 5 FEET OR MORE, THE CELLAR IS COUNTED AS A STORY. A
23 CELLAR, EXCEPT AS PROVIDED IN THIS SUBDIVISION, IS NOT COUNTED AS
24 A STORY. IF A PORTION OF A BUILDING IS THE EQUIVALENT OF A BASE-
25 MENT OR CELLAR, THE PROVISIONS OF THIS ACT RELATIVE TO BASEMENTS
26 AND CELLARS APPLY TO THAT PORTION OF THE BUILDING.

1 (D) "CORNER LOT" MEANS A LOT OF WHICH AT LEAST 2 ADJACENT
2 SIDES ABUT FOR THEIR FULL LENGTH UPON A STREET.

3 (E) "COURT" MEANS AN OPEN UNOCCUPIED SPACE ON THE SAME LOT
4 WITH A DWELLING AND BOUNDED ON 2 OR MORE SIDES WITH THE WALLS OF
5 THE DWELLING. COURT INCLUDES BOTH OF THE FOLLOWING:

6 (i) "INNER COURT" MEANS A COURT NOT EXTENDING TO THE STREET
7 OR FRONT OR REAR YARD.

8 (ii) "OUTER COURT" MEANS A COURT EXTENDING TO THE STREET OR
9 FRONT OR REAR YARD.

10 (F) THE "DEPTH" OF A LOT MEANS THE DIMENSION MEASURED FROM
11 THE FRONT OF THE LOT TO THE EXTREME REAR LINE OF THE LOT. IN THE
12 CASE OF IRREGULAR SHAPED LOTS, THE DEPTH IS THE MEAN DEPTH.

13 (G) ~~(i) Dwelling. A "dwelling" is any~~ "DWELLING" MEANS A
14 house, building, structure, tent, shelter, trailer, or vehicle,
15 ~~or portion thereof, (except railroad cars , on tracks or~~
16 ~~rights-of-way,) which~~ THAT is occupied in whole or in part as
17 the home, residence, living, or sleeping place of 1 or more human
18 beings, either permanently or transiently. A house trailer or
19 other vehicle, when occupied or used as a dwelling, ~~shall be~~ IS
20 subject to all the provisions of this act, except that house
21 trailers or other vehicles, duly licensed as vehicles, may be
22 occupied or used as a dwelling for reasonable periods or lengths
23 of time, without being otherwise subject to ~~the provisions of~~
24 this act for dwellings, when located in a MOBILE HOME park
25 LICENSED UNDER THE MOBILE HOME COMMISSION ACT, ACT NO. 96 OF THE
26 PUBLIC ACTS OF 1987, BEING SECTIONS 125.2301 TO 125.2349 OF THE
27 MICHIGAN COMPILED LAWS. DWELLINGS ARE CLASSIFIED INTO 1 OF THE

1 FOLLOWING CLASSES: ~~or place designated or licensed for the~~
 2 ~~purpose by the corporate community within which they are~~
 3 ~~located: Provided, That such parking sites are equipped with~~
 4 ~~adequate safety and sanitary facilities.~~

5 ~~(1a). "Sub standard dwelling" is a dwelling of any class~~
 6 ~~which is not so equipped as to have each of the following items:~~
 7 ~~running water, inside toilets; or a dwelling which has either~~
 8 ~~inadequate cellar drainage, defective plumbing, and inside room~~
 9 ~~having no windows therein, improper exits or defective stairways~~
 10 ~~so as to make such dwelling a fire hazard.~~

11 ~~(2) Classes of dwellings. For the purposes of this act~~
 12 ~~dwellings are divided into the following classes: (a) "private~~
 13 ~~dwellings," (b) "2 family dwellings," and (c) "multiple~~
 14 ~~dwellings."~~

15 ~~(i) (a) A "private~~ "PRIVATE dwelling" is a dwelling occu-
 16 ~~pied by but~~ NO MORE THAN 1 family, and ~~so~~ designed and
 17 arranged ~~as~~ to provide cooking and kitchen accommodations for 1
 18 family only.

19 ~~(ii) (b) A "2~~ "TWO-family dwelling" is a dwelling occupied
 20 by ~~but~~ NO MORE THAN 2 families, and ~~so~~ designed and arranged
 21 ~~as~~ to provide cooking and kitchen accommodations for 2 families
 22 only.

23 ~~(iii) (c) A "multiple~~ "MULTIPLE dwelling" is a dwelling
 24 occupied otherwise than as a private dwelling or 2-family
 25 dwelling. ~~(3) Classes of multiple dwellings.~~ All multiple
 26 dwellings ~~are dwellings and~~ for the purpose of this act are

1 divided into ~~2~~ 1 OF THE FOLLOWING classes: ~~, viz.: class a~~
 2 ~~and class b.~~

3 (A) "Class a" ~~. Multiple~~ MULTIPLE dwellings ~~of class a~~
 4 are dwellings ~~which~~ THAT are occupied more or less permanently
 5 for residence purposes by several families and in which the rooms
 6 are occupied in apartments, suites or groups, in which each com-
 7 bination of rooms is ~~so~~ arranged and designed ~~as~~ to provide
 8 for cooking accommodations and toilet and kitchen sink accommo-
 9 tions within the separate units. This class includes tenement
 10 houses, flats, apartment houses, apartment hotels, bachelor
 11 apartments, studio apartments, duplex apartments, kitchenette
 12 apartments, and all other dwellings similarly occupied whether
 13 specifically enumerated ~~herein~~ or not.

14 (B) "Class b" ~~. Multiple~~ MULTIPLE dwellings ~~of class b~~
 15 are dwellings ~~which~~ THAT are USUALLY occupied ~~, as a rule~~,
 16 transiently, as the more or less temporary abiding place of indi-
 17 viduals who are lodged ~~, with or without meals, and in which~~
 18 ~~as a rule~~ the rooms are USUALLY occupied singly and without any
 19 attempt to provide ~~therein or therewith~~ cooking or kitchen
 20 accommodations for the individual occupants. This class includes
 21 hotels, lodging houses, boarding houses, furnished room houses,
 22 club houses, convents, asylums, hospitals, jails and all other
 23 dwellings similarly occupied, whether specifically enumerated
 24 ~~herein~~ or not.

25 ~~(3a) Rooming house. A "rooming house" under this act shall~~
 26 ~~be construed to mean any dwelling occupied in such a manner that~~
 27 ~~certain rooms, in excess of those used by the members of the~~

~~1 immediate family and occupied as a home or family unit, are~~
~~2 leased or rented to persons outside of the family, without any~~
~~3 attempt to provide therein or therewith, cooking or kitchen~~
~~4 accommodations for individuals leasing or renting rooms. In the~~
~~5 case of single and 2 family dwellings the number of such bedrooms~~
~~6 leased or rented to roomers shall not exceed 3, unless such~~
~~7 dwellings be made to comply in all respects with the provisions~~
~~8 of this act relating to multiple dwellings.~~

9 ~~(4) Hotel. A "hotel" is a multiple dwelling of class b in~~
10 ~~which persons are lodged for hire and in which there are more~~
11 ~~than 50 sleeping rooms, a public dining room for the accommoda-~~
12 ~~tion of at least 50 guests, and a general kitchen.~~

13 ~~(5) Mixed occupancy. In cases of mixed occupancy where a~~
14 ~~building is occupied in part as a dwelling, the part so occupied~~
15 ~~shall be deemed a dwelling for the purposes of this act and shall~~
16 ~~comply with the provisions thereof relative to dwellings.~~

17 ~~(6) Yards. A "rear yard" is an unoccupied space on the same~~
18 ~~lot with a dwelling, between the extreme rear line of the dwell-~~
19 ~~ing and the rear lot line and extending from 1 side lot line to~~
20 ~~the other side lot line. A "side yard" is an unoccupied space on~~
21 ~~the same lot with a dwelling between the side lot line and the~~
22 ~~nearest side line of the dwelling and extending from the extreme~~
23 ~~rear line of the dwelling to the front lot line. A "front yard"~~
24 ~~is an unoccupied space on the same lot with a dwelling between~~
25 ~~the extreme front line of the house and the front lot line and~~
26 ~~extending from 1 side yard to the other side yard.~~

1 ~~(7) Courts. A "court" is an open unoccupied space on the~~
2 ~~same lot with a dwelling and bounded on 2 or more sides with the~~
3 ~~walls of the dwelling. A court not extending to the street or~~
4 ~~front or rear yard is an "inner court". A court extending to the~~
5 ~~street or front or rear yard is an "outer court"~~

6 ~~(8) Corner and interior lots. A "corner lot" is a lot of~~
7 ~~which at least 2 adjacent sides abut for their full length upon a~~
8 ~~street. A lot other than a corner lot is an "interior lot."~~

9 ~~(9) Front, rear and depth of lot. The front of a lot is~~
10 ~~that boundary line which borders on the street. In case of a~~
11 ~~corner lot the owner may elect by statement on his plans either~~
12 ~~street boundary line as the front. The rear of a lot is the side~~
13 ~~opposite to the front. In the case of a triangular or gore lot~~
14 ~~the rear is the boundary line not bordering on a street. The~~
15 ~~depth of a lot is the dimension measured from the front of the~~
16 ~~lot to the extreme rear line of the lot. In the case of irregu-~~
17 ~~lar shaped lots the mean depth shall be taken.~~

18 ~~(10) Public hall. A "public hall" is a hall, corridor or~~
19 ~~passageway not within the exclusive control of 1 family.~~

20 ~~(11) Stair hall. A "stair hall" is a public hall and~~
21 ~~includes the stairs, stair landings and those portions of the~~
22 ~~building through which it is necessary to pass in going between~~
23 ~~the entrance floor and the roof.~~

24 ~~(12) Basement, cellar, attic, penthouses.~~

25 ~~(a) A "basement" is that portion of a building partly below~~
26 ~~grade but so located that the vertical distance from grade to the~~
27 ~~floor is not greater than the vertical distance from the grade to~~

1 ~~the ceiling. Provided, however, That if the vertical distance~~
2 ~~from the grade to the ceiling is 5 feet or more such basement~~
3 ~~shall be counted as a story.~~

4 ~~(b) A "cellar" is that portion of a building partly below~~
5 ~~grade but so located that the vertical distance from the grade to~~
6 ~~the floor is greater than the vertical distance from the grade to~~
7 ~~the ceiling. Provided, however, That if the vertical distance~~
8 ~~from the grade to the ceiling is 5 feet or more such cellar shall~~
9 ~~be counted as a story. A cellar, except as provided above, shall~~
10 ~~not be counted as a story. If any portion of a building is in~~
11 ~~that part the equivalent of a basement or cellar, the provisions~~
12 ~~of this act relative to basements and cellars shall apply to such~~
13 ~~portion of the building.~~

14 ~~(c) An attic is a portion of a building situated partly or~~
15 ~~wholly in the roof space. An attic which is used only as a por-~~
16 ~~tion of a single or 2 family dwelling shall be not counted as a~~
17 ~~story, unless there are more than 2 rooms suitable for living~~
18 ~~purposes on this floor. For the purpose of this paragraph, rooms~~
19 ~~of 160 square feet or more will be regarded as 2 or more rooms~~
20 ~~based on each 80 square feet being considered 1 room. Any attic~~
21 ~~which is occupied by a separate family shall be counted as a~~
22 ~~story. Any attic used for living purposes in a multiple dwelling~~
23 ~~shall be counted as a story.~~

24 ~~(d) Penthouses. Penthouses are those portions of a building~~
25 ~~situated above the roof and housing mechanical equipment, service~~
26 ~~or recreational facilities or used for living purposes. A~~
27 ~~penthouse shall not be counted as a story if it houses only~~

~~1 mechanical equipment or stairways and does not have an area in
2 excess of 200 square feet; nor shall it be counted as a story,
3 when occupied otherwise or when it has an area in excess of 200
4 square feet, if it complies with the following requirements:~~

~~5 (1) The building and penthouse shall be of fireproof con-
6 struction if the penthouse houses other than mechanical equipment
7 or stairways.~~

~~8 (2) The penthouse shall be not over 1 story in height.~~

~~9 (3) The exterior walls of the penthouse shall be set back
10 from the exterior walls of the story immediately below by a dis-
11 tance not less than 2/3 of the height of the penthouse above the
12 roof. However, it shall not be necessary to set back the exte-
13 rior walls of a penthouse if the dimensions of yards and courts
14 are sufficient to meet the requirements of this act for a build-
15 ing if the penthouse is counted as a story.~~

~~16 (4) There shall be access to 2 stairways leading from the
17 roof to grade where penthouses are used for the purposes other
18 than to house mechanical equipment.~~

~~19 (5) The combined area of all penthouses on a building shall
20 not exceed 25 per cent of the gross area of the floor immediately
21 below.~~

~~22 (13) Height. The "height" of a dwelling is the perpendicu-
23 lar distance measured in a straight line from grade to the high-
24 est point of the roof beams in the case of flat roofs, and to the
25 average of the height of the gable in the case of pitched roofs.~~

~~26 (14) Grade. "Grade", for buildings adjoining 1 street only,
27 shall be the elevation of the sidewalk at the center of that wall~~

~~1 which adjoins the street, except that in case the average
2 elevation of the ground (finished surface) adjacent to the exte-
3 rior walls of the building is lower than the elevation of the
4 sidewalk, "grade" shall be the average elevation of the ground.~~

~~5 "Grade", for buildings adjoining more than 1 street, shall
6 be the elevation of the sidewalk at the center of the wall
7 adjoining the street having the lowest sidewalk elevation.~~

~~8 "Grade", for buildings having no wall adjoining the street,
9 shall be the average level of the ground (finished surface) adja-
10 cent to the exterior walls of the building.~~

~~11 All walls approximately parallel to and not more than 5 feet
12 from a street line shall be considered as adjoining the street.
13 In alleys the surface of the paving shall be considered to be the
14 sidewalk elevation. Where the elevation of the sidewalk or alley
15 paving has not been established the city engineer shall determine
16 such elevation for the purpose of this act.~~

~~17 (15) Occupied spaces. Outside stairways, fire escapes, fire
18 towers, porches, platforms, balconies, boiler flues and other
19 projections shall be considered as part of the building and not
20 as a part of the yards or courts or unoccupied spaces. This pro-
21 vision shall not apply to 1 fireplace or 1 chimney projecting not
22 more than 12 inches into side yard space and not more than 8 feet
23 in length, nor to uninclosed outside porches not exceeding 1
24 story in height which do not extend into the front or rear yard a
25 greater distance than 12 feet from the front or rear walls of the
26 building, nor to 1 such porch which does not extend into the
27 sideyard a greater distance than 6 feet from the side wall of the~~

1 building nor exceed 12 feet in its other horizontal dimension, or
2 to cornices not exceeding 16 inches in width including the
3 gutter.

4 ~~(16) Fireproof dwelling. A "fireproof dwelling" is one the~~
5 ~~exterior walls of which are constructed of brick, stone, con-~~
6 ~~crete, iron or other hard incombustible material not less than 8~~
7 ~~inches thick, and in which there are no wood beams or lintels and~~
8 ~~in which the floors, roofs, stair halls and public halls are~~
9 ~~built entirely of brick, stone, concrete, iron or other hard~~
10 ~~incombustible material, and in which no woodwork or other inflam-~~
11 ~~mable material is used in any of the partitions, furrings or~~
12 ~~ceilings. But this definition shall not be construed as prohib-~~
13 ~~iting elsewhere than in the public halls the use of wooden floor-~~
14 ~~ing on top of the fireproof floors or the use of wooden sleepers,~~
15 ~~nor as prohibiting the use of wood, or any other material not~~
16 ~~more combustible or inflammable than wood, for handrails, doors,~~
17 ~~windows, and decorative treatment on incombustible surfaces.~~

18 ~~All metallic structural members, except lintels unattached~~
19 ~~to structural frame work and less than 6 feet in span, shall be~~
20 ~~protected with not less than 2 inches of brick, concrete, gypsum,~~
21 ~~terra cotta, or any other material that has equivalent properties~~
22 ~~to resist the action of flame and heat. Steel in reinforced con-~~
23 ~~crete construction shall be protected with a minimum of 3/4 of an~~
24 ~~inch of concrete unless additional protection is required by the~~
25 ~~enforcing official.~~

26 ~~In dwellings not over 8 stories in height, steel joists may~~
27 ~~be used for roof and floor construction if protected on the~~

~~1 underside with 3/4 of an inch of gypsum or portland cement
2 plaster on metal lath, thickness of said plaster to be measured
3 from the back of the metal lath, and protected on top with a slab
4 of at least 2 inches of concrete in which wood sleepers may be
5 embedded if there is at least 1 and 1/2 inches of concrete under
6 the sleepers.~~

~~7 (17) Wooden buildings. "Wooden building" is a building of
8 which the exterior walls or a portion thereof are of wood. Court
9 walls are exterior walls.~~

~~10 (18) Nuisance. The word "nuisance" shall be held to embrace
11 public nuisance as known at common law or in equity jurispru-
12 dence; and whatever is dangerous to human life or detrimental to
13 health; whatever dwelling is overcrowded with occupants or is not
14 provided with adequate ingress and egress to or from the same, or
15 is not sufficiently supported, ventilated, sewerred, drained,
16 cleaned or lighted, in reference to its intended or actual use,
17 and whatever renders the air or human food or drink unwholesome,
18 are also severally, in contemplation of this act, nuisances; and
19 all such nuisances are hereby declared illegal.~~

20 (H) "FIRE DOOR" MEANS A MOVABLE FIRE RESISTIVE BARRIER,
21 INCLUDING FRAMES AND HARDWARE, THAT IS PLACED ON AN OPENING IN A
22 MASONRY WALL OR SHAFT ENCLOSURE FOR THE PURPOSE OF PREVENTING THE
23 PASSAGE OF FIRE THROUGH THE OPENING, AND THAT MEETS ALL OF THE
24 FOLLOWING REQUIREMENTS:

25 (i) THE DOOR IS CAPABLE OF PASSING A FIRE AND WATER TEST AS
26 DESCRIBED IN THIS SUBPARAGRAPH. THE FIRE TEST SHALL CONSIST OF A
27 FLAME APPLIED OVER THE ENTIRE AREA OF A DOOR THAT WILL GRADUALLY

1 RAISE THE TEMPERATURE OF THE EXPOSED SIDE TO 1400 DEGREES
2 FAHRENHEIT DURING THE FIRST 20 MINUTES OF TEST AND THAT WILL
3 GRADUALLY RAISE THIS TEMPERATURE TO 1700 DEGREES FAHRENHEIT
4 DURING THE NEXT 40 MINUTES, CONCLUDING THE FIRE TEST.
5 IMMEDIATELY AFTER THE FIRE TEST, AND WHILE THE DOOR IS STILL HOT,
6 THE DOOR SHALL BE SUBJECTED TO THE IMPACT OF A STREAM OF WATER
7 UNDER A NOZZLE PRESSURE OF 30 POUNDS PER SQUARE INCH THROUGH A
8 2-1/2 INCH FIRE HOSE WITH A 1-1/8 INCH SMOOTH BORE NOZZLE PLACED
9 20 FEET FROM THE DOOR AND PLAYED UNIFORMLY OVER THE SURFACE FOR A
10 PERIOD OF AT LEAST 45 SECONDS. TO PASS THIS TEST, A FIRE DOOR
11 SHALL MAINTAIN ITS SHAPE AND INTEGRITY REASONABLY WELL SO AS TO
12 BE CAPABLE OF RESISTING THE FURTHER APPLICATION OF FLAME AND
13 SHALL NOT DEVELOP SERIOUS STRUCTURAL WEAKNESS. THE ENFORCING
14 OFFICER MAY REQUIRE THAT THE ABILITY OF ALL FIRE DOORS TO PASS
15 THESE TESTS BE DEMONSTRATED IN A RECOGNIZED TESTING LABORATORY,
16 OR THAT SATISFACTORY EVIDENCE IN THE FORM OF A LABEL OR CERTIFI-
17 CATE OF TEST AND INSPECTION BE SUBMITTED SHOWING THAT THE FIRE
18 DOORS IN QUESTION HAVE SUCCESSFULLY COMPLIED WITH THESE
19 REQUIREMENTS.

20 (ii) THE DOOR, EXCEPT A DOOR ON DUMBWAITERS AND ELEVATORS,
21 IS OF THE SWINGING TYPE, IS NOT DOUBLE ACTING, AND IS EQUIPPED
22 WITH AN APPROVED DEVICE CAPABLE OF COMPLETELY CLOSING THE DOOR
23 UNDER ALL CONDITIONS.

24 (iii) THE DOOR IS EITHER A TYPE "A" FIRE DOOR OR A TYPE "B"
25 FIRE DOOR, AS FOLLOWS:

1 (A) A TYPE "A" FIRE DOOR IS SOLID WITHOUT GLASS PANELS OF
2 ANY KIND. A TYPE "A" FIRE DOOR MAY BE USED WHEREVER A TYPE "B"
3 FIRE DOOR IS REQUIRED.

4 (B) A TYPE "B" FIRE DOOR IS A DOOR THAT CONTAINS UP TO
5 720 SQUARE INCHES OF WIRE-GLASS AT LEAST 1/4 INCH IN THICKNESS.

6 (iv) IF THE FIRE DOOR IS AN AUTOMATIC FIRE DOOR, WHICH IS
7 NORMALLY HELD IN AN OPEN POSITION BY AN APPARATUS, THAT APPARATUS
8 WILL AUTOMATICALLY ALLOW THE DOOR TO CLOSE WHENEVER THE TEMPERA-
9 TURE OF THE AIR AT THE TOP OF THE DOOR REACHES 165 DEGREES
10 FAHRENHEIT.

11 (v) IF THE DOOR IS A SELF-CLOSING FIRE DOOR, IT IS KEPT
12 CLOSED AT ALL TIMES.

13 (vi) THE DOOR IS EQUIPPED WITH AN EFFECTIVE LOCKING DEVICE
14 THAT WILL HOLD THE DOOR IN THE CLOSED POSITION BUT THAT CAN BE
15 UNLOCKED FROM EITHER SIDE OF THE DOOR WITHOUT THE USE OF A KEY.

16 (vii) THE DOOR HAS AN INCOMBUSTIBLE THRESHOLD, AND COMBUSTI-
17 BLE FLOOR CONSTRUCTION OR COVERING DOES NOT EXTEND THROUGH THE
18 DOOR OPENING.

19 (viii) FRAMES FOR TYPE "A" FIRE DOORS ARE MADE ENTIRELY OF
20 METAL AND NO COMBUSTIBLE MATERIAL IS USED IN THEIR CONSTRUCTION
21 OR INSTALLATION. FRAMES FOR TYPE "B" FIRE DOORS ARE MADE OF
22 METAL OR OF WOOD COVERED WITH METAL.

23 (ix) SELF-CLOSING EQUIPMENT CONSISTS OF STANDARD DOOR CHECKS
24 OR OTHER SIMILAR APPROVED DEVICES THAT WILL COMPLETELY CLOSE THE
25 DOOR WITHOUT SLAMMING.

1 (x) A SELF-CLOSING FIRE DOOR IS LABELED ON BOTH SIDES IN A
2 CONSPICUOUS MANNER WITH THE FOLLOWING WORDS: "FIRE DOOR, KEEP
3 CLOSED".

4 (I) "FIREPROOF DWELLING" MEANS A DWELLING THAT MEETS ALL OF
5 THE FOLLOWING:

6 (i) THE EXTERIOR WALLS OF THE DWELLING ARE CONSTRUCTED OF
7 BRICK, STONE, CONCRETE, IRON, OR OTHER HARD INCOMBUSTIBLE MATE-
8 RIAL NOT LESS THAN 8 INCHES THICK; THERE ARE NO WOOD BEAMS OR
9 LINTELS; THE FLOORS, ROOFS, STAIR HALLS, AND PUBLIC HALLS ARE
10 BUILT ENTIRELY OF BRICK, STONE, CONCRETE, IRON, OR OTHER HARD
11 INCOMBUSTIBLE MATERIAL; AND WOODWORK OR OTHER INFLAMMABLE MATE-
12 RIAL IS NOT USED IN ANY OF THE PARTITIONS, FURRINGS, OR
13 CEILINGS. THIS DEFINITION DOES NOT PROHIBIT ELSEWHERE THAN IN
14 THE PUBLIC HALLS THE USE OF WOODEN FLOORING ON TOP OF THE FIRE-
15 PROOF FLOORS OR THE USE OF WOODEN SLEEPERS, OR THE USE OF WOOD,
16 OR ANY OTHER MATERIAL NOT MORE COMBUSTIBLE OR INFLAMMABLE THAN
17 WOOD, FOR HANDRAILS, DOORS, WINDOWS, AND DECORATIVE TREATMENT ON
18 INCOMBUSTIBLE SURFACES.

19 (ii) ALL METALLIC STRUCTURAL MEMBERS, EXCEPT LINTELS UNAT-
20 TACHED TO STRUCTURAL FRAME WORK AND LESS THAN 6 FEET IN SPAN, ARE
21 PROTECTED WITH NOT LESS THAN 2 INCHES OF BRICK, CONCRETE, GYPSUM,
22 TERRA COTTA, OR ANY OTHER MATERIAL THAT HAS EQUIVALENT PROPERTIES
23 TO RESIST THE ACTION OF FLAME AND HEAT. STEEL IN REINFORCED CON-
24 CRETE CONSTRUCTION IS PROTECTED WITH A MINIMUM OF 3/4 OF AN INCH
25 OF CONCRETE UNLESS ADDITIONAL PROTECTION IS REQUIRED BY THE
26 ENFORCING OFFICIAL.

1 (iii) IN DWELLINGS NOT OVER 8 STORIES IN HEIGHT, IF STEEL
2 JOISTS ARE USED FOR ROOF AND FLOOR CONSTRUCTION, THEY ARE
3 PROTECTED ON THE UNDERSIDE WITH 3/4 OF AN INCH OF GYPSUM OR PORT-
4 LAND CEMENT PLASTER ON METAL LATH, THE THICKNESS OF THE PLASTER
5 TO BE MEASURED FROM THE BACK OF THE METAL LATH, AND PROTECTED ON
6 TOP WITH A SLAB OF AT LEAST 2 INCHES OF CONCRETE IN WHICH WOOD
7 SLEEPERS MAY BE EMBEDDED IF THERE IS AT LEAST 1 AND 1/2 INCHES OF
8 CONCRETE UNDER THE SLEEPERS.

9 (J) THE "FRONT" OF A LOT MEANS THAT BOUNDARY LINE THAT BOR-
10 DERS ON THE STREET. IN CASE OF A CORNER LOT, EITHER STREET
11 BOUNDARY LINE MAY BE THE FRONT ACCORDING TO THE OWNER'S ELECTION
12 AS SHOWN ON THE PLANS FOR THE LOT.

13 (K) "GRADE" MEANS THE ELEVATION SET FORTH IN SUBPARAGRAPHS
14 (i) TO (iii). FOR PURPOSES OF THIS SUBDIVISION, ALL WALLS
15 APPROXIMATELY PARALLEL TO AND NOT MORE THAN 5 FEET FROM A STREET
16 LINE SHALL BE CONSIDERED AS ADJOINING THE STREET. IN ALLEYS THE
17 SURFACE OF THE PAVING SHALL BE CONSIDERED TO BE THE SIDEWALK
18 ELEVATION. IF THE ELEVATION OF THE SIDEWALK OR ALLEY PAVING HAS
19 NOT BEEN ESTABLISHED, THE CITY ENGINEER SHALL DETERMINE THE ELE-
20 VATION FOR THE PURPOSE OF THIS ACT. GRADE MEANS THE FOLLOWING:

21 (i) FOR BUILDINGS ADJOINING 1 STREET ONLY, THE ELEVATION OF
22 THE SIDEWALK AT THE CENTER OF THAT WALL WHICH ADJOINS THE
23 STREET. IF THE AVERAGE ELEVATION OF THE FINISHED SURFACE OF THE
24 GROUND ADJACENT TO THE EXTERIOR WALLS OF THE BUILDING IS LOWER
25 THAN THE ELEVATION OF THE SIDEWALK, GRADE IS THE AVERAGE ELEVA-
26 TION OF THE GROUND.

1 (ii) FOR BUILDINGS ADJOINING MORE THAN 1 STREET, THE
2 ELEVATION OF THE SIDEWALK AT THE CENTER OF THE WALL ADJOINING THE
3 STREET HAVING THE LOWEST SIDEWALK ELEVATION.

4 (iii) FOR BUILDINGS THAT DO NOT HAVE A WALL ADJOINING THE
5 STREET, THE AVERAGE LEVEL OF THE FINISHED SURFACE OF THE GROUND
6 ADJACENT TO THE EXTERIOR WALLS OF THE BUILDING.

7 (l) "HEIGHT" OF A DWELLING MEANS THE PERPENDICULAR DISTANCE
8 MEASURED IN A STRAIGHT LINE FROM GRADE TO THE HIGHEST POINT OF
9 THE ROOF BEAMS IN THE CASE OF FLAT ROOFS, AND TO THE AVERAGE OF
10 THE HEIGHT OF THE GABLE IN THE CASE OF PITCHED ROOFS.

11 (m) "HOTEL" MEANS A CLASS B MULTIPLE DWELLING IN WHICH PER-
12 SONS ARE CHARGED FOR LODGING AND IN WHICH THERE ARE MORE THAN 50
13 SLEEPING ROOMS, A PUBLIC DINING ROOM FOR THE ACCOMMODATION OF AT
14 LEAST 50 GUESTS, AND A GENERAL KITCHEN.

15 (n) "INTERIOR LOT" MEANS A LOT OTHER THAN A CORNER LOT.

16 (o) "MIXED OCCUPANCY" MEANS THAT A BUILDING IS OCCUPIED IN
17 PART AS A DWELLING. THE PART OCCUPIED AS A DWELLING IS CONSID-
18 ERED A DWELLING FOR THE PURPOSES OF THIS ACT AND SHALL COMPLY
19 WITH PROVISIONS RELATIVE TO DWELLINGS.

20 (p) "NUISANCE" MEANS 1 OR MORE OF THE FOLLOWING:

21 (i) PUBLIC NUISANCE AS KNOWN AT COMMON LAW OR IN EQUITY
22 JURISPRUDENCE.

23 (ii) A DWELLING OR A CONDITION IN A DWELLING THAT IS DANGER-
24 OUS TO HUMAN LIFE OR DETRIMENTAL TO HEALTH.

25 (iii) A DWELLING THAT IS OVERCROWDED WITH OCCUPANTS OR IS
26 NOT PROVIDED WITH ADEQUATE INGRESS AND EGRESS, OR IS NOT

1 SUFFICIENTLY SUPPORTED, VENTILATED, SEWERED, DRAINED, CLEANED, OR
2 LIGHTED, IN REFERENCE TO ITS INTENDED OR ACTUAL USE.

3 (iv) A DWELLING OR A CONDITION IN A DWELLING THAT RENDERS
4 THE AIR OR HUMAN FOOD OR DRINK UNWHOLESOME.

5 (Q) "OCCUPIED SPACES" MEANS SPACES THAT ARE CONSIDERED PART
6 OF THE BUILDING AND NOT PART OF THE YARD OR COURT. OCCUPIED
7 SPACES INCLUDE OUTSIDE STAIRWAYS, FIRE ESCAPES, FIRE TOWERS,
8 PORCHES, PLATFORMS, BALCONIES, BOILER FLUES, AND OTHER
9 PROJECTIONS. THIS SUBDIVISION DOES NOT APPLY TO 1 FIREPLACE OR 1
10 CHIMNEY PROJECTING NOT MORE THAN 12 INCHES INTO SIDE YARD SPACE
11 AND NOT MORE THAN 8 FEET IN LENGTH, OR TO AN UNINCLOSED OUTSIDE
12 PORCH NOT EXCEEDING 1 STORY IN HEIGHT THAT DOES NOT EXTEND INTO
13 THE FRONT OR REAR YARD A GREATER DISTANCE THAN 12 FEET FROM THE
14 FRONT OR REAR WALLS OF THE BUILDING, OR TO 1 SUCH PORCH THAT DOES
15 NOT EXTEND INTO THE SIDE YARD A GREATER DISTANCE THAN 6 FEET FROM
16 THE SIDE WALL OF THE BUILDING NOR EXCEED 12 FEET IN ITS OTHER
17 HORIZONTAL DIMENSION, OR TO A CORNICE NOT EXCEEDING 16 INCHES IN
18 WIDTH INCLUDING THE GUTTER.

19 (R) "PENTHOUSE" MEANS A PART OF A BUILDING SITUATED ABOVE
20 THE ROOF AND HOUSING MECHANICAL EQUIPMENT, SERVICE, OR RECREA-
21 TIONAL FACILITIES OR USED FOR LIVING PURPOSES. A PENTHOUSE IS
22 NOT COUNTED AS A STORY IF IT HOUSES ONLY MECHANICAL EQUIPMENT OR
23 STAIRWAYS AND DOES NOT HAVE AN AREA IN EXCESS OF 200 SQUARE
24 FEET. A PENTHOUSE USED FOR LIVING OR RECREATIONAL PURPOSES OR
25 HAVING AN AREA IN EXCESS OF 200 SQUARE FEET IS NOT COUNTED AS A
26 STORY IF IT COMPLIES WITH THE FOLLOWING REQUIREMENTS:

1 (i) IF THE PENTHOUSE HOUSES MORE THAN MECHANICAL EQUIPMENT
2 OR STAIRWAYS, THE BUILDING AND PENTHOUSE ARE OF FIREPROOF
3 CONSTRUCTION.

4 (ii) THE PENTHOUSE IS NOT OVER 1 STORY IN HEIGHT.

5 (iii) THE EXTERIOR WALLS OF THE PENTHOUSE ARE SET BACK FROM
6 THE EXTERIOR WALLS OF THE STORY IMMEDIATELY BELOW BY A DISTANCE
7 NOT LESS THAN 2/3 OF THE HEIGHT OF THE PENTHOUSE ABOVE THE ROOF.
8 HOWEVER, IT IS NOT NECESSARY TO SET BACK THE EXTERIOR WALLS OF A
9 PENTHOUSE IF THE DIMENSIONS OF YARDS AND COURTS ARE SUFFICIENT TO
10 MEET THE REQUIREMENTS OF THIS ACT FOR A BUILDING IF THE PENTHOUSE
11 IS COUNTED AS A STORY.

12 (iv) IF THE PENTHOUSE IS USED FOR A PURPOSE OTHER THAN TO
13 HOUSE MECHANICAL EQUIPMENT, THERE IS ACCESS TO 2 STAIRWAYS LEAD-
14 ING FROM THE ROOF TO GRADE.

15 (v) THE COMBINED AREA OF ALL PENTHOUSES ON A BUILDING DOES
16 NOT EXCEED 25% OF THE GROSS AREA OF THE FLOOR IMMEDIATELY BELOW.

17 (s) "PUBLIC HALL" MEANS A HALL, CORRIDOR, OR PASSAGEWAY NOT
18 WITHIN THE EXCLUSIVE CONTROL OF 1 FAMILY.

19 (t) THE "REAR" OF A LOT MEANS THE SIDE OPPOSITE TO THE
20 FRONT. IN THE CASE OF A TRIANGULAR OR GORE LOT THE REAR IS THE
21 BOUNDARY LINE NOT BORDERING ON A STREET.

22 (u) "RENTAL DWELLING" MEANS A LEASED OR RENTED PRIVATE
23 DWELLING OR 2-FAMILY DWELLING WITHIN THE CORPORATE LIMITS OF A
24 CITY OR VILLAGE THAT HAS ADOPTED AN ORDINANCE REQUIRING THE
25 LICENSING, INSPECTING, AND REGULATION OF LEASED OR RENTED PRIVATE
26 DWELLINGS AND 2-FAMILY DWELLINGS.

1 (V) "ROOMING HOUSE" MEANS A DWELLING IN WHICH CERTAIN ROOMS,
2 IN EXCESS OF THOSE USED BY THE MEMBERS OF THE IMMEDIATE FAMILY
3 AND OCCUPIED AS A HOME OR FAMILY UNIT, ARE LEASED OR RENTED TO
4 PERSONS OUTSIDE OF THE FAMILY, WITHOUT ANY ATTEMPT TO PROVIDE
5 COOKING OR KITCHEN ACCOMMODATIONS FOR INDIVIDUALS LEASING OR
6 RENTING ROOMS. IN THE CASE OF PRIVATE AND 2-FAMILY DWELLINGS, IF
7 THE NUMBER OF BEDROOMS LEASED OR RENTED TO ROOMERS EXCEEDS 3, THE
8 DWELLING IS CLASSIFIED AS A MULTIPLE DWELLING INSTEAD OF A ROOM-
9 ING HOUSE.

10 (W) "STAIR HALL" MEANS A PUBLIC HALL AND INCLUDES THE
11 STAIRS, STAIR LANDINGS, AND THOSE PORTIONS OF THE BUILDING
12 THROUGH WHICH A PERSON MUST PASS IN GOING BETWEEN THE ENTRANCE
13 FLOOR AND THE ROOF.

14 (X) "SUBSTANDARD DWELLING" MEANS A DWELLING OF ANY CLASS
15 THAT DOES NOT HAVE RUNNING WATER OR INSIDE TOILETS; OR A DWELLING
16 WHICH HAS INADEQUATE CELLAR DRAINAGE, DEFECTIVE PLUMBING, AN
17 INSIDE ROOM HAVING NO WINDOWS, IMPROPER EXITS, OR STAIRWAYS THAT
18 MAKE THE DWELLING A FIRE HAZARD.

19 (Y) "WOODEN BUILDING" MEANS A BUILDING IN WHICH SOME OR ALL
20 OF THE EXTERIOR WALLS ARE WOOD. FOR PURPOSES OF THIS SUBDIVI-
21 SION, COURT WALLS ARE EXTERIOR WALLS.

22 (Z) "YARD" MEANS ALL OF THE FOLLOWING:

23 (i) A "REAR YARD" IS AN UNOCCUPIED SPACE ON THE SAME LOT
24 WITH A DWELLING, BETWEEN THE EXTREME REAR LINE OF THE DWELLING
25 AND THE REAR LOT LINE AND EXTENDING FROM 1 SIDE LOT LINE TO THE
26 OTHER SIDE LOT LINE.

1 (ii) A "SIDE YARD" IS AN UNOCCUPIED SPACE ON THE SAME LOT
2 WITH A DWELLING BETWEEN THE SIDE LOT LINE AND THE NEAREST SIDE
3 LINE OF THE DWELLING AND EXTENDING FROM THE EXTREME REAR LINE OF
4 THE DWELLING TO THE FRONT LOT LINE.

5 (iii) A "FRONT YARD" IS AN UNOCCUPIED SPACE ON THE SAME LOT
6 WITH A DWELLING BETWEEN THE EXTREME FRONT LINE OF THE HOUSE AND
7 THE FRONT LOT LINE AND EXTENDING FROM 1 SIDE YARD TO THE OTHER
8 SIDE YARD.

9 (2) ~~(19) Construction of certain words.~~ IN ADDITION TO THE
10 RULES OF STATUTORY CONSTRUCTION CONTAINED IN CHAPTER 1 OF THE
11 REVISED STATUTES OF 1846, BEING SECTIONS 8.1 TO 8.8 OF THE
12 MICHIGAN COMPILED LAWS, THE FOLLOWING RULES OF CONSTRUCTION APPLY
13 TO THIS ACT:

14 (A) The word "shall" is always mandatory and not directory,
15 and denotes that the dwelling shall be maintained in all respects
16 according to the mandate as long as it continues to be a
17 dwelling.

18 (B) Wherever the words "charter," "ordinances,"
19 "regulations," "superintendent of buildings," "health
20 department," "the board of health," "health officer," or such
21 other appropriate public official as the mayor may designate
22 "commissioner of public safety," "commissioner of public health,"
23 "department charged with the enforcement of this act,"
24 "corporation counsel," "mayor," "city treasury," or "fire limits"
25 occur in this act, they shall be construed as if followed by the
26 words "of the city or village in which the dwelling is
27 situated."

1 (C) Wherever the words "health department," "health
2 officer," or such other appropriate public official as the mayor
3 may designate, or "duly authorized assistant" or "board of
4 health," "commissioner of public safety," or "commissioner of
5 public health" are employed in this act, such words shall be
6 ~~deemed and~~ construed to mean the official or officials in any
7 city or village to whom is committed the charge of safeguarding
8 the public health.

9 (D) The terms "superintendent of buildings," "building
10 department," and "inspector of buildings" shall embrace the
11 department and the executive head ~~thereof~~ OF THE DEPARTMENT
12 specially charged with the execution of laws and ordinances
13 relating to the construction of buildings.

14 (E) Wherever the terms "superintendent of buildings,"
15 "health officer," or such other appropriate public official as
16 the mayor may designate are used in this act, they shall be con-
17 strued to mean the enforcement officials designated in section
18 111.

19 (F) Wherever the words "occupied" or "used" are employed in
20 this act such words shall be construed as if followed by the
21 words "or is intended, arranged, designed, built, altered, con-
22 verted to, rented, leased, let or hired out, to be occupied or
23 used."

24 (G) Wherever the words "dwelling," "2-family dwelling,"
25 "multiple dwelling," "building," "house," "premises," or "lot"
26 are used in this act, they shall be construed as if followed by
27 the words "or any part thereof."

1 (H) Wherever the words "city water" are used in this act,
2 they shall be construed as meaning any public supply of water
3 through street mains; and wherever the words "public sewer" are
4 used in this act, they shall be construed as meaning any part of
5 a system of sewers that is used by the public, whether or not
6 such part was constructed at the public expense.

7 (I) Wherever the word "street" is used in this act, it shall
8 be construed as including any public alley 16 feet or more in
9 width.

10 (J) "Approved fireproof material" means as set forth by
11 ordinances, or if not so determined, as approved by the enforcing
12 officer.

13 (K) Where a particular material, device, or type of con-
14 struction is specified herein, ~~there may be substituted~~
15 ~~therefor~~ A PERSON MAY SUBSTITUTE any other material, device, or
16 type of construction ~~of a~~ THAT HAS strength, durability, AND
17 performance and fire resistive qualities ~~—~~ equivalent to the
18 particular material, device, or type of construction specified
19 ~~herein~~ IN THIS ACT, or sufficient for the intended use, and
20 approved ~~as such~~ by the enforcing officer. Perforated gypsum
21 lath 3/8 of an inch thick, with 1/2 inch of gypsum plaster, may
22 be substituted wherever metal lath and gypsum or cement plaster
23 is required in this act.

24 ~~(20) Fire doors. A fire door is a movable fire resistive~~
25 ~~barrier placed on an opening in a masonry wall or shaft enclosure~~
26 ~~for the purpose of preventing the passage of fire through the~~
27 ~~opening. All fire doors, as installed and including frames and~~

~~1 hardware shall be capable of passing a fire and water test as
2 herein specified. The fire test shall consist of a flame applied
3 over entire area of door which will gradually raise the tempera-
4 ture of the exposed side to 1400 degrees Fahrenheit during the
5 first 20 minutes of test and which will gradually raise this tem-
6 perature to 1700 degrees Fahrenheit during the next 40 minutes,
7 concluding the fire test. Immediately thereafter and while the
8 door is still hot, it shall be subjected to the impact of a
9 stream of water under a nozzle pressure of 30 pounds per square
10 inch through a 2 and 1/2 inch fire hose with a 1 and 1/8 inch
11 smooth bore nozzle placed 20 feet from the door and played uni-
12 formly over surface of same for a period of at least 45 seconds.
13 To pass this test, a fire door shall maintain its shape and
14 integrity reasonably well so as to be capable of resisting the
15 further application of flame and shall not develop serious struc-
16 tural weakness. The enforcing officer may require that the abil-
17 ity of all fire doors to pass these tests be demonstrated in a
18 recognized testing laboratory, or that satisfactory evidence in
19 the form of a label or certificate of test and inspection be sub-
20 mitted showing that the fire doors in question have successfully
21 complied with these requirements.~~

~~22 All fire doors, except those on dumbwaiters and elevators,
23 shall be of the swinging type and shall not be double acting and
24 shall be equipped with an approved device capable of completely
25 and effectually closing the door under all conditions.~~

1 ~~Type "a" fire doors shall be solid without glass panels of~~
2 ~~any kind. Type "a" fire doors may be used wherever type "b" fire~~
3 ~~doors are required herein.~~

4 ~~Type "b" fire doors may contain not over 720 square inches~~
5 ~~of wire glass at least 1/4 inch in thickness.~~

6 ~~Automatic fire doors, as specified herein, may be normally~~
7 ~~held in an open position by an apparatus which will automatically~~
8 ~~allow the door to close whenever the temperature of the air at~~
9 ~~the top of the door reaches 165 degrees Fahrenheit. Self closing~~
10 ~~fire doors, as specified herein, shall be normally kept closed at~~
11 ~~all times.~~

12 ~~All fire doors shall be equipped with an effective locking~~
13 ~~device which will hold the door in the closed position but which~~
14 ~~can be unlocked from either side of the door without the use of a~~
15 ~~key.~~

16 ~~All fire doors shall be provided with an incombustible~~
17 ~~threshold and combustible floor construction or covering shall~~
18 ~~not extend through the door opening.~~

19 ~~Frames for type "a" fire doors shall be made entirely of~~
20 ~~metal and no combustible material shall be used in their con-~~
21 ~~struction or installation.~~

22 ~~Frames for type "b" fire doors may be made of metal or of~~
23 ~~wood covered with metal.~~

24 ~~Self closing equipment shall consist of standard door checks~~
25 ~~or other similar approved devices which will effectually close~~
26 ~~the door without slamming.~~

1 ~~Self closing fire door shall be labeled on both sides in a~~
2 ~~conspicuous manner with the following words: "fire door, keep~~
3 ~~closed".~~

4 SEC. 2B. A PERSON SHALL NOT MAINTAIN A DWELLING UNDER CON-
5 DITIONS THAT MAKE THE DWELLING A NUISANCE.

6 Sec. 125. (1) A registry of owners and premises shall be
7 maintained by the enforcing agency.

8 (2) The owners of a multiple dwelling, ~~or~~ rooming house,
9 OR RENTAL DWELLING containing units ~~which~~ THAT will be offered
10 ~~to let, or to hire,~~ FOR RENT OR LEASE for more than 6 months of
11 a calendar year ~~—~~ shall register their names and places of res-
12 idence or usual places of business and the location of the
13 premises regulated by this act with the enforcing agency. The
14 owners shall register within 60 days following the day on which
15 any part of the premises is offered for occupancy.

16 (3) Owners of multiple dwellings or rooming houses contain-
17 ing units ~~which~~ THAT are occupied or offered for occupancy at
18 the time this act becomes effective shall register within 90 days
19 after the effective date of this article. OWNERS OF RENTAL
20 DWELLINGS CONTAINING UNITS THAT ARE OCCUPIED OR OFFERED FOR OCCU-
21 PANCY ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS
22 SUBSECTION SHALL REGISTER WITHIN 90 DAYS AFTER THE EFFECTIVE DATE
23 OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.

24 (4) ~~(3)~~ If the premises are managed or operated by an
25 agent, the agent's name and place of business shall be placed
26 with the name of the owner in the registry.

1 Sec. 129. (1) Units in multiple dwellings, ~~or~~ rooming
2 houses, OR RENTAL DWELLINGS shall not be occupied unless a
3 certificate of compliance has been issued by the enforcing
4 agency. The certificates shall be issued only upon an inspection
5 of the premises by the enforcing agency, except as provided in
6 section 131. The certificate shall be issued within 15 days
7 after written application ~~therefor~~ if the dwelling at the date
8 of the application is entitled ~~thereto~~ TO THE CERTIFICATE.

9 (2) A violation of this act shall not prevent the issuance
10 of a certificate, but the enforcing agency shall not issue a cer-
11 tificate when the existing conditions constitute a hazard to the
12 health or safety of those who may occupy the premises.

13 (3) Inspections shall be made prior to first occupancy of
14 multiple dwellings, ~~and~~ rooming houses, AND RENTAL DWELLINGS if
15 the construction or alteration is completed and first occupancy
16 will occur after the effective date of this article. Where first
17 occupancy will occur before the effective date of this article,
18 inspection shall be made within 1 year after the effective date
19 of this article. Upon a finding that there is no condition that
20 would constitute a hazard to the health and safety of the occu-
21 pants, and that the premises are otherwise fit for occupancy, the
22 certificate shall be issued. If the finding is of a condition
23 that would constitute a hazard to health or safety, no certifi-
24 cate shall be issued, and an order to comply with the act shall
25 be issued immediately and served upon the owner in accordance
26 with section 132. On reinspection and proof of compliance, the
27 order shall be rescinded and a certificate issued.

1 Sec. 143. (1) ~~Nothing herein contained shall require any~~
2 A city, village, or township ~~to adopt Act No. 167 of the Public~~
3 ~~Acts of 1917, as amended, being the housing law of Michigan~~ IS
4 NOT REQUIRED TO ADOPT THIS ACT OR PART OF THIS ACT THAT IS NOT
5 MADE APPLICABLE TO THE CITY, VILLAGE, OR TOWNSHIP BY SECTION 1.

6 (2) A CITY, VILLAGE, OR TOWNSHIP TO WHICH THE PROVISIONS OF
7 THIS ACT RELATING TO PRIVATE DWELLINGS OR 2-FAMILY DWELLINGS
8 APPLY PURSUANT TO SECTION 1 MAY ADOPT AN ORDINANCE REQUIRING THE
9 INSPECTION, LICENSING, AND REGULATION OF RENTAL DWELLINGS. THE
10 ORDINANCE MAY DO ALL OF THE FOLLOWING:

11 (A) REQUIRE THE PAYMENT OF RENT TO AN ESCROW ACCOUNT UNDER
12 SECTION 130 FOR A RENTAL DWELLING IN VIOLATION OF THE ORDINANCE.

13 (B) REQUIRE A COURT THAT HAS JURISDICTION OVER AN ACTION
14 BROUGHT UNDER THE ORDINANCE TO ISSUE ORDERS AND MAKE DETERMINA-
15 TIONS CONSISTENT WITH SECTION 134(5).

16 (C) AUTHORIZE THE COURT TO APPOINT A RECEIVER UNDER
17 SECTION 135 FOR A RENTAL DWELLING IN VIOLATION OF THE ORDINANCE.

18 Section 2. This amendatory act shall not take effect unless
19 Senate Bill No. _____ or House Bill No. 5936 (request
20 no. 05462'90) of the 85th Legislature is enacted into law.