

## HOUSING LAW OF MICHIGAN (EXCERPT)

### Act 167 of 1917

#### ARTICLE IV MAINTENANCE.

##### **125.465 Public halls in multiple dwellings; lighting; exit lights.**

Sec. 65. Public halls, lighting at night. In every multiple dwelling all public halls shall be kept adequately lighted at all times by the owner. In every multiple dwelling of class "b", except those of fireproof construction having more than 15 rooms or sleeping accommodations for more than 30 persons, the location of stairways and means of egress shall be designated on each floor by electrically illuminated exit signs having letters at least 4 inches in height. All exit lights shall be on a separate circuit or circuits and wires shall be installed in approved metal raceway.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2553;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.465.

##### **125.466 Water closets in cellars.**

Sec. 66. Water-closets in cellars. No water-closet shall be maintained in the cellar of any dwelling without a permit in writing from the health officer, who shall have power to make rules and regulations governing the maintenance of such closets. Under no circumstances shall the general water-closet accommodations of any multiple dwelling be permitted in the cellar or basement thereof; this provision, however, shall not be construed so as to prohibit a general toilet room containing several water-closets, provided such water-closets are supplementary to those required by law.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2554;—CL 1948, 125.466.

##### **125.467 Water closet accommodations.**

Sec. 67. Water-closet accommodations. In every dwelling existing prior to the passage of this act there shall be provided at least 1 water-closet for every 2 apartments, groups or suites of rooms, or fraction thereof, except that in multiple-dwellings of class B there shall be provided at least 1 water-closet for every 15 occupants or fraction thereof.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2555;—CL 1948, 125.467.

##### **125.468 Basement and cellar rooms.**

Sec. 68. Basement and cellar rooms. No room in the cellar of any dwelling erected prior to the passage of this act shall be occupied for living purposes. And no room in the basement of any such dwelling shall be so occupied without a written permit from the health officer, which permit shall be kept readily accessible in the main living room of the apartment containing such room. No such room shall hereafter be occupied unless all the following conditions are complied with:

- (1) Such room shall be at least 7 feet high in every part from the floor to the ceiling.
- (2) The ceiling of such room shall be in every part at least 3 feet 6 inches above the surface of the street or ground outside of or adjoining the same.
- (3) There shall be appurtenant to such room the use of a water-closet.
- (4) At least 1 of the rooms of the apartment of which such room is an integral part shall have a window opening directly to the street or yard, of at least 12 square feet in size clear of the sash frame, and which shall open readily for purposes of ventilation.
- (5) The lowest floor shall be water-proof and damp-proof.
- (6) Such room shall have sufficient light and ventilation, shall be well drained and dry, and shall be fit for human habitation.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2556;—CL 1948, 125.468.

##### **125.469 Joint use of kitchen by more than one family prohibited.**

Sec. 69. Use of kitchens. No kitchen or cooking accommodations shall be permitted or maintained in any room or space of any building for the common or joint use of the individual occupants of a 2 family or multiple family dwelling.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2557;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.469.

##### **125.470 Water closets and sinks; floors under and around.**

Sec. 70. Water-closets and sinks. In all 2 family dwellings and multiple dwellings the floor or other surface beneath and around water-closets and sinks shall be maintained in good order and repair and if of wood shall be kept well painted with light colored paint.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2558;—CL 1948, 125.470.

#### **125.471 Repairs and drainage.**

Sec. 71. Repairs and drainage. Every dwelling and all the parts thereof including plumbing, heating, ventilating and electrical wiring shall be kept in good repair by the owner. The roof shall be so maintained as not to leak and the rain water shall be drained and conveyed therefrom through proper conduits into the sewerage system in accordance with plumbing regulations so as to avoid dampness in the walls and ceilings and insanitary conditions.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2559;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.471.

#### **125.472 Water supply.**

Sec. 72. Water supply. Every dwelling not exempted in section 7 of this act shall have within each apartment or family unit at least 1 approved sink with running water furnished in sufficient quantity at all times. The owner shall provide proper and suitable tanks, pumps or other appliances to receive and to distribute an adequate and sufficient supply of such water at each floor in the said dwelling at all times of the year, during all hours of the day and night. But a failure in the general supply of city water shall not be construed to be a failure on the part of such owner, provided proper and suitable appliances to receive and distribute such water have been provided in said dwelling.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2560;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.472.

#### **125.473 Catch-basins.**

Sec. 73. Catch-basins. In the case of dwellings where, because of lack of city water supply or sewers, sinks with running water are not provided inside the dwellings, 1 or more catch-basins or some other approved convenience for the disposal of waste water, as may be necessary in the opinion of the health officer or such other appropriate public official as the mayor may designate, shall be provided in the yard or court, level with the surface thereof and at a point easy of access to the occupants of such dwelling.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2561;—CL 1948, 125.473.

#### **125.474 Cleanliness of dwellings.**

Sec. 74. Cleanliness of dwellings. Every dwelling and every part thereof shall be kept clean and shall also be kept free from any accumulation of dirt, filth, rubbish, garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected therewith or belonging to the same. The owner of every dwelling shall be responsible for keeping the entire building free from vermin. The owner shall also be responsible for complying with the provisions of this section except that the tenants shall be responsible for the cleanliness of those parts of the premises that they occupy and control.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2562;—Am. 1939, Act 303, Sept. 29, 1939;—CL 1948, 125.474.

#### **125.475 Multiple dwellings; walls of courts.**

Sec. 75. Walls of courts. In multiple dwellings the walls of all courts, unless built of a light color brick or stone, shall be thoroughly whitewashed by the owner or shall be painted a light color by him, and shall be so maintained. Such whitewash or paint shall be renewed whenever necessary, as may be required by the health officer, or by such other appropriate public official as the mayor may designate.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2563;—CL 1948, 125.475.

#### **125.476 Multiple dwellings; walls and ceilings of rooms.**

Sec. 76. Walls and ceilings of rooms. In all multiple dwellings the health officer or such other appropriate official as the mayor may designate, may require the walls and ceiling of every room that does not open directly on the street to be kalsomined white or painted with white paint when necessary to improve the lighting of such room and may require this to be renewed as often as may be necessary.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2564;—CL 1948, 125.476.

#### **125.477 Multiple dwellings; wallpaper.**

Sec. 77. Wall paper. No wall paper shall be placed upon a wall or ceiling of any multiple-dwelling unless all wall paper shall be first removed therefrom and said wall and ceiling thoroughly cleaned.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2565;—CL 1948, 125.477.

#### **125.478 Receptacles for ashes, garbage and rubbish; chutes prohibited.**

Sec. 78. Receptacles for ashes, garbage and rubbish. The owner of every multiple dwelling, and in the case of private and 2 family dwellings, the occupant or occupants thereof, shall provide for said dwelling, keep

clean and in place, proper covered receptacles of non-absorbent material for holding garbage, refuse, ashes, rubbish and other waste matter. Garbage chutes are prohibited.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2566;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.478.

#### **125.479 Prohibited uses.**

Sec. 79. Prohibited uses. No horse, cow, calf, swine, sheep, goat, chickens, geese or ducks shall be kept in any dwelling or part thereof. Nor shall any such animal be kept on the same lot or premises with a dwelling except under such conditions as may be prescribed by the health officer. No such animal, except a horse, shall under any circumstances be kept on the same lot or premises with a multiple dwelling. No dwelling or the lot or premises thereof shall be used for the storage or handling of rags or junk.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2567;—CL 1948, 125.479.

#### **125.480 Storage of combustible materials.**

Sec. 80. Combustible materials and storage spaces. No dwelling, nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of any article dangerous or detrimental to life or health; nor of any combustible article, except under such conditions as may be prescribed by the fire commissioner, or the proper official, under authority of a written permit issued by him. No multiple dwelling nor any part thereof, nor of the lot upon which it is situated, shall be used as a place of storage, keeping or handling of feed, hay, straw, cotton, paper stock, feathers or rags.

All of the provisions of section 49, except the window requirement, prescribing the protection and construction of spaces used for storage purposes in buildings hereafter erected shall apply to all spaces used for such storage purposes in all existing buildings housing more than 8 apartments if of class "a" or 40 sleeping rooms if of class "b". Where a required window cannot be provided, there shall be a siamese fire department connection.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2568;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.480.

#### **125.481 Storage of combustible materials; openings between storage room and public hall.**

Sec. 81. Certain dangerous businesses. There shall be no transom, window or door opening into a public hall from any part of a multiple dwelling where paint, oil, or inflammable liquids are stored or kept for the purpose of sale or otherwise.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—Am. 1921, Act 281, Eff. Aug. 18, 1921;—CL 1929, 2569;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.481.

#### **125.482 Fire prevention and safety requirements.**

Sec. 82. Supervision and safety provisions. In any multiple dwelling housing more than 8 families, in which the owner thereof does not reside, there shall be a responsible person, or persons, designated as such by the owner. Every multiple dwelling of class "b" containing over 75 sleeping rooms or sleeping accommodations for 150 persons or more above the first floor, which is not of fireproof construction, or not protected with an approved sprinkler system or an approved and self supervised and properly maintained automatic fire alarm system, shall have adequate watch service, reporting each 1 hour between the hours of 10:00 p.m. and 7:00 a.m. on each floor at locations designated by the enforcing official on a suitable recording device.

In addition every multiple dwelling of class "b", not of fireproof construction, or not protected with an approved sprinkler system or an approved and self supervised and properly maintained automatic fire alarm system, having sleeping accommodations for over 50 persons above the first floor, shall have on duty at all times at least 1 employe and more if necessary, so that there shall be 1 employe on duty at all times for each 100 persons, or major fraction thereof, of the normal capacity of the building.

In all multiple dwellings of class "b", not of fireproof construction, having sleeping accommodations for over 25 persons there shall be provided a bell, gong, siren or other approved alarm, of sufficient size and adequacy to be heard in every room or apartment of the building by a person of normal auditory perception, on each floor of the building, such warning device to be manually controlled from locations designated by the enforcing official.

All employes of multiple dwellings shall be regularly instructed and drilled relative to the proper proceeding in case of fire or panic by a person whose qualifications are approved by the enforcing officer. All employes of multiple dwellings shall be instructed as to the location of the fire alarm boxes or other devices for notifying the fire department. In case of fire in the building it shall be the duty of such employes to forthwith and immediately notify the fire department of the existence of such fire through the surest and quickest means of notification available. Such employes shall then proceed to warn or notify the occupants of

the building of the existence of such fire and to assist them in the immediate evacuation of the building in the quickest and safest manner possible.

The owners or manager of every multiple dwelling of class "b" shall maintain a register or list of guests and tenants which shall be kept and safeguarded so as to be available at all times.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2570;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.482.

#### **125.482a Class "A" multiple dwelling; smoke alarm; requirements; violation as misdemeanor; penalty; definitions.**

Sec. 82a. (1) Each dwelling unit contained within a class "A" multiple dwelling shall be equipped with a single-station or multiple-station smoke alarm that complies with the standards set forth in the state construction code promulgated under section 4c of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504c.

(2) A class "A" multiple dwelling constructed before November 6, 1974 has 1 year after the effective date of the rules promulgated under section 4c of the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1504c, to comply with subsection (1).

(3) An existing building that is converted to a class "A" multiple dwelling shall comply with the requirements that may be imposed by the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.

(4) A person owning a class "A" multiple dwelling shall comply with this section.

(5) A person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment of not more than 90 days, or both.

(6) As used in this section:

(a) "Dwelling unit" means a single unit providing complete independent living facilities for 1 or more persons, including permanent provisions for cooking, living, sanitation, and sleeping.

(b) "Smoke alarm" means a single-station or multiple-station alarm responsive to smoke and not connected to a system.

(c) "Single-station smoke alarm" means an assembly incorporating a detector, the control equipment, and the alarm sounding device into 1 unit, operated from a power supply either in the unit or obtained at the point of installation.

(d) "Multiple-station smoke alarm" means 2 or more single-station alarm devices that are capable of interconnection such that actuation of 1 causes all integral or separate audible alarms to operate.

**History:** Add. 2004, Act 64, Imd. Eff. Apr. 20, 2004.

#### **125.483 Overcrowding; minimum space requirements.**

Sec. 83. Overcrowding. No bedroom or room used as a bedroom in any class "b" multiple dwelling shall be so occupied as to provide less than 500 cubic feet of air space per occupant, exclusive of the cubic air space of bathrooms, toilet rooms and closets. No room, suite or group of rooms, comprising a family dwelling unit, in any single, 2 family or class "a" multiple dwelling shall be so occupied as to provide less than 800 cubic feet of air space per occupant exclusive of the cubic air space of bathrooms, toilet rooms and closets. No bedroom or room used as a bedroom in any single, 2 family or class "a" multiple dwelling shall be so occupied as to provide less than 300 cubic feet of air space per occupant, exclusive of the cubic air space of bathrooms, toilet rooms and closets.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2571;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.483.

#### **125.484 Multiple dwellings; regulation; application; lodgers prohibited.**

Sec. 84. Lodgers prohibited. The health officer or such other appropriate public official as the mayor may designate may prohibit in any multiple dwelling the letting of lodgings therein by any of the tenants occupying such multiple dwelling, and may prescribe conditions under which lodgers or boarders may be taken in multiple-dwellings. It shall be the duty of the owner in the case of multiple-dwellings to see that the requirements of the health officer or such other appropriate public official as the mayor may designate in this regard are at all times complied with, and a failure to so comply on the part of any tenant, after due and proper notice from said owner or from the health officer or such other appropriate public official as the mayor may designate shall be deemed sufficient cause for the summary eviction of such tenant and the cancellation of his lease. The provisions of this section may be extended to private dwellings and 2 family dwellings, as may be found necessary by the health officer, or by such other appropriate public official as the mayor may designate.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2572;—CL 1948, 125.484.

#### **125.485 Health order; infected and uninhabitable dwellings to be vacated.**

Sec. 85. Infected and uninhabitable dwellings to be vacated. Whenever it shall be certified by an inspector or officer of the health department that a dwelling is infected with contagious disease or that it is unfit for human habitation, or dangerous to life or health by reason of want of repair, or of defects in the drainage, plumbing, lighting, ventilation, or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said dwelling, or for any cause, the health officer or such other appropriate public official as the mayor may designate, may issue an order requiring all persons therein to vacate such house within not less than 24 hours nor more than 10 days for the reasons to be mentioned in said order. In case such order is not complied with within the time specified, the health officer or such other appropriate public official as the mayor may designate may cause said dwelling to be vacated. The health officer or such other appropriate public official as the mayor may designate whenever he is satisfied that the danger from said dwelling has ceased to exist, or that it is fit for human habitation may revoke said order or may extend the time within which to comply with the same.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2573;—CL 1948, 125.485.

#### **125.485a Site of illegal drug manufacturing; notification of potential contamination; determination of contamination; rules; order by local health department.**

Sec. 85a. (1) Within 48 hours of discovering an illegal drug manufacturing site, a state or local law enforcement agency shall notify the enforcing agency, the local health department if the enforcing agency is not the local health department, and the department of community health regarding the potential contamination of any property or dwelling that is or has been the site of illegal drug manufacturing. The state or local law enforcement agency shall post a written warning on the premises stating that potential contamination exists and may constitute a hazard to the health or safety of those who may occupy the premises.

(2) Within 14 days after receipt of the notification under subsection (1) or as soon thereafter as practically possible, the department of community health, in cooperation with the enforcing agency, shall review the information received from the state or local law enforcement agency, emergency first responders, or hazardous materials team that was called to the site and make a determination regarding whether the premises are likely to be contaminated and whether that contamination may constitute a hazard to the health or safety of those who may occupy the premises. The fact that property or a dwelling has been used as a site for illegal drug manufacturing shall be treated by the department of community health as prima facie evidence of likely contamination that may constitute a hazard to the health or safety of those who may occupy those premises.

(3) If the property or dwelling, or both, is determined likely to be contaminated under subsection (2), the enforcing agency shall issue an order requiring the property or dwelling to be vacated until the property owner establishes that the property is decontaminated or the risk of likely contamination ceases to exist. The property owner may establish that the property is decontaminated by submitting a written assessment of the property before decontamination and a written assessment of the property after decontamination, enumerating the steps taken to render the property decontaminated, and a certification that the property has been decontaminated and that the risk of likely contamination no longer exists to the enforcing agency. The property or dwelling shall remain vacated until the enforcing agency has reviewed and concurred in the certification.

(4) The department of community health shall promulgate rules and procedures necessary to implement this section.

(5) Nothing in this section precludes a local health department from exercising its powers or duties under this act or the public health code, 1978 PA 368, MCL 333.1101 to 333.25211. However, if there is a determination under subsection (2) that is contrary to an order made by a local health department, then the determination made under subsection (2) takes precedence.

**History:** Add. 2003, Act 307, Eff. Apr. 1, 2004;—Am. 2006, Act 258, Imd. Eff. July 6, 2006.

#### **125.486 Health order; repairs to buildings, other structures.**

Sec. 86. Repairs to buildings, etc. Whenever any dwelling or any building, structure, excavation, business pursuit, matter or thing, in or about a dwelling, or the lot on which it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is in the opinion of the health officer or such other appropriate public official as the mayor may designate in a condition or in effect dangerous or detrimental to life or health, the health officer or such other appropriate public official as the mayor may designate may declare that the same to the extent he may specify is a public nuisance, and may order the same to be removed, abated, suspended, altered or otherwise improved or purified as the order shall specify.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2574;—CL 1948, 125.486.

**125.487 Fire escape maintenance.**

Sec. 87. Maintenance of fire escapes. All fire escapes shall be kept in a safe and sound condition and shall be properly painted and repaired to maintain this condition. No incumbrance or obstruction shall be placed or maintained on any part of any fire escape or in any means of access to a fire escape.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2575;—Am. 1939, Act 303, Eff. Sept. 29, 1939;—CL 1948, 125.487.

**125.488 Scuttles, bulkheads, ladders and stairs in multiple dwellings.**

Sec. 88. Scuttles, bulkheads, ladders and stairs. In all multiple dwellings where there are scuttles or bulkheads, they and all stairs or ladders leading thereto shall be easily accessible to all occupants of the building and shall be kept free from incumbrance and ready for use at all times. No scuttle and no bulkhead door shall at any time be locked with a key, but either may be fastened on the inside by movable bolts or hooks.

**History:** 1917, Act 167, Eff. Aug. 10, 1917;—CL 1929, 2576;—CL 1948, 125.488.