

Commission Letter #: 112-10
Commission Meeting: 4/19/2010
RE: **2010 Amendment to the International Property Maintenance Code**

March 16, 2010

The Honorable Mayor
And
Members of City Commission

This ordinance amendment is required to assist with the collection of unpaid rental license fees and charges. The amendment would allow the city to place a lien on the taxes in the same manner as an unpaid water bill. Further more, this amendment clarifies the time frame that a property owner has to pay rental fees.

The following resolution is recommended for approval:

Be It Resolved that the City Commission hereby approves the 2010 Amendment to the International Property Maintenance Code on first reading.

Respectfully submitted,



Jason Craig
Building Official

Approved,



Donald E. Johnson
City Manager

ORDINANCE NO. 2010 - ____

AN ORDINANCE TO AMEND THE ROYAL OAK CITY CODE AT CHAPTER 556, "PROPERTY MAINTENANCE", SECTION 556-4, "ADDITIONAL AMENDMENTS TO STANDARDS", SECTION 104.8(C), "LICENSES AND INSPECTIONS", TO ESTABLISH A LATE CHARGE ON AN INITIAL APPLICATION FOR A RESIDENTIAL RENTAL LICENSE, AND TO PROVIDE FOR A LIEN ON REAL PROPERTY FOR ALL UNPAID FEES AND CHARGES ON RESIDENTIAL RENTAL LICENSES

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. SHORT TITLE. This Ordinance shall be known as and may be cited as the "2010 Amendment to the International Property Maintenance Code."

SECTION 2. STATEMENT OF PURPOSE. This is an ordinance to amend the City Code at Chapter 556, "Property Maintenance", Section 556-4, "Additional Amendments to Standards", Section 104.8(c), "Licenses and Inspections", to establish a late charge on an initial application for a residential rental license, and to provide for a lien on real property for all unpaid fees and charges on residential rental licenses.

SECTION 3. AMENDMENT AT SECTION 556-4. The Royal Oak City Code, Chapter 556, "Property Maintenance", is hereby amended at Section 556-4, "Additional Amendments to Standards", Section 104.8(c), "Licenses and Inspections", which shall now read as follows:

- "(c) A license shall be in effect until the expiration date indicated on the license unless revoked for cause by the City. Failure to secure or renew a license in accordance with the provisions of this chapter or failure to pay such inspection fee is a violation of this chapter. A late charge of \$1 per day, per dwelling unit, with a minimum of \$5 shall be charged on all payments received after the due date, which is 30 days after the expiration of an existing license or 30 days after notification that an initial license is required. All fees and charges shall be paid by the owner. If the owner fails to pay the City as provided within 30 days of demand by the City, the City shall have a lien on the property for all unpaid fees and charges and may enforce such lien in the manner prescribed by State law for the enforcement of tax liens."

SECTION 4. SEVERABILITY. If any Section, subsection, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. SAVINGS. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they are commenced.

SECTION 6. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect ten (10) days after the final passage thereof.