

**City of Port Huron, Michigan**  
**ORD #24-002**

*An ordinance to amend Chapter 10, Building and Building Regulations, Article II, Single State Construction Code, and Article V, Non-Owner-Occupied Certification, of the Port Huron Code of Ordinances, for the purpose of updating the chapter to provide new guidelines for City Inspectors.*

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**THE CITY OF PORT HURON ORDAINS:**

That Chapter 10, Building and Building Regulations, Article II, Single State Construction Code, and Article V, Non-Owner-Occupied Certification, of the Port Huron Code of Ordinances is hereby amended for the purpose of updating the chapter to provide new guidelines for City Inspectors.

**CHAPTER 10.**  
**BUILDING AND BUILDING REGULATIONS**  
**ARTICLE II. Single State Construction Code**

**Sec. 10-31. Adoption.**

- (a) Pursuant to the provisions of the Single State Construction Code, in accordance with Public Act No. 230 of 1972 (MCL 125.1501 et seq.), the City assumes responsibility for the administration and enforcement of the state code throughout its corporate limits.
- (b) The Michigan Building Code (including the Property Maintenance Code except as set forth in subparagraph (c) below), the Michigan Electrical Code, the Michigan Plumbing Code, and the Michigan Mechanical Code are hereby adopted by reference pursuant to the Act cited in Subsection (a) of this section.
- (c) In inspecting a property for compliance with the Property Maintenance Code, unless a condition of the building causes the property to be unsafe, City inspectors shall apply the Code that existed at the time the building was built, or if part of the building was altered or repaired, the Code that existed at the time of the alteration or repair.
- (d) “Unsafe” shall be defined as a condition that places the occupants of the building in immediate potential danger, and does not include a newly revised Property Maintenance Code provision designed to make a building “more safe” than a previously approved safety standard.

**Sec. 10-32 through Sec. 10-70.**

No changes.

**ARTICLE V.**  
**Non-Owner-Occupied Certification**

**Sec. 10-151 through Sec. 10-158.**

No changes.

**Sec. 10-159. Certification required.**

- (a) No person shall lease, rent or cause to be occupied, nor occupy, a non-owner-occupied residential dwelling or unit unless there is a valid certification issued by the City Rental Certification Division in the name of the owner and issued for the specific non-owner-occupied residential dwelling or unit that is occupied. Except to the extent restricted in § **10-178**, the certificate shall be issued after an inspection by the Rental Certification Division which may include inspections by the Building Inspector, Mechanical Inspector, Housing Inspector, Electrical Inspector, Plumbing Inspector, and Fire Department Inspectors when fire inspectors have jurisdiction or other building officials to determine that each non-owner-occupied residential dwelling and unit complies with the provisions of the codes and ordinances of the City. Such inspections shall commence after the effective date of the ordinance from which this article is derived and shall continue until all non-owner-occupied residential dwellings and units have been inspected and continue, thereafter, as required for renewals.
- (b) In addition to all other remedies provided for in this chapter, if a summary proceeding action is pending for a non-owner-occupied residential dwelling or unit, and when there is no current, valid registration for a non-owner-occupied residential dwelling or unit, no rent payments shall be accepted, retained, or recoverable by the owner or lessor of the non-owner-occupied residential dwelling or unit for the period of time in which the non-owner-occupied residential dwelling or unit was not registered under this article.
- (c) Subject to the restriction in § **10-178**, a certification may be issued for a two-year period on existing one-family and two-family non-owner-occupied residential dwellings and units and existing multifamily non-owner-occupied dwellings and units (three or more and any rooming house with one or more rooms, or boardinghouse) in accordance with the following:
  - (1) The City will issue a certification valid for those years if the inspector determines during the inspection that:
    - a. Any deficiencies discovered during previous inspections of the dwelling and/or unit have been corrected;
    - b. There are no major violations of the inspection guidelines for the dwellings and/or units. Major violations are those violations which, in the inspector's professional judgment, create a risk to the health or safety of the occupants;
    - c. A non-owner-occupied residential dwelling or unit located in a multifamily residential structure will receive a certification only if all residential units within the structure have a valid certification or are also entitled to receive a certification.
  - (2) Temporary, one-year certificate. The exterior condition of all non-owner-occupied residential dwellings or units are subject to compliance with other related City codes and ordinances, including § **10-31(b)** (including International Property Maintenance Code) of this chapter, and Chapter **22**, Article **II**, Blight. If conditions are not in compliance with other City codes and ordinances, but in the opinion of the rental inspector do not present an immediate health or safety hazard, a temporary, one-year certificate may be issued. The property owner must renovate the unit(s) to established standards outlined in an executed work agreement and in accordance with City codes and ordinances within one year and, upon completion, be eligible to receive a valid certification.

(3) Exemplary non-owner-occupied residential dwellings or units:

- a. A non-owner-occupied residential dwelling or unit that has had: 1) during the initial inspection only minor deficiencies (as in easily curable) and no life safety violations; 2) no valid complaints; and (3) no more than four blight code violations, for a period of four or more years, will receive the status of "exemplary non-owner-occupied residential dwelling or unit." Blight violations must be minor in nature (long grass or early trash placement) and resolved in a timely manner.
- b. An exemplary non-owner-occupied residential dwelling or unit may be issued a certification for a four-year period instead of a two-year period provided in § 10-159(c).
- c. An exemplary non-owner-occupied residential dwelling or unit may lose its status as the result of the occurrence of any deficiencies, valid complaints, or code violations during the four-year certification period.
- d. A non-owner-occupied residential dwelling or unit located in a multifamily residential structure will receive an exemplary certification only if all residential units within the structure are also entitled to receive an exemplary certification.

(4) Probationary non-owner-occupied residential dwellings or units:

- a. A non-owner-occupied residential dwelling or unit that has had more than one major deficiency, valid complaint or code violation during the period of its last rental certification will receive the status of "probationary non-owner-occupied residential dwelling or unit."
- b. A probationary non-owner-occupied residential dwelling or unit may be issued a certification for a one-year period instead of the two-year period provided in § 10-159(c).
- c. A probationary non-owner-occupied residential dwelling or unit may be removed from its status if it has both: 1) no deficiencies during any inspection; and 2) no valid complaints or code violations for a period of one or more years.

ADOPTED: March 11, 2024

PUBLISHED: March 15, 2024

EFFECTIVE: March 16, 2024

<b>RESULT:</b>	<b>2ND READING/ENACTED [6 TO 0]</b>
<b>MOVER:</b>	Anita R. Ashford, Councilmember
<b>SECONDER:</b>	Jeffrey R. Pemberton, Councilmember
<b>YES:</b>	Repp, Ashford, Haremza, Lamb, Mosurak, Pemberton
<b>ABSENT:</b>	Archibald

*I, Pauline M. Repp, Mayor of the City of Port Huron, do hereby certify that ORD #24-002 was passed and adopted by the Port Huron City Council at its meeting held on Monday, March 11, 2024.*

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

*I, Cyndee M. Jonseck, City Clerk of the City of Port Huron, do further certify that ORD #24-002 was published Friday, March 15, 2024, in the Times Herald, a newspaper circulated in the City of Port Huron, being the first and final day of publication.*

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*Cyndee M. Jonseck, CMC, MiPMC  
City Clerk*