

**CITY OF IONIA  
IONIA COUNTY, MICHIGAN  
ORDINANCE NO. 599**

**AN ORDINANCE TO AMEND PART EIGHT (BUSINESS REGULATION AND TAXATION CODE), CHAPTER 858 (RENTING OF RESIDENTIAL PROPERTY) OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA.**

THE CITY OF IONIA HEREBY ORDAINS:

**Section 1. Amendment of Chapter 858.** Part Eight, Chapter 858 entitled "Renting of Residential Property" of the Codified Ordinances of the City of Ionia, is amended to read in its entirety as follows:

**858.01 DEFINITIONS.**

As used in this chapter:

- (a) "Agent" means a person authorized by the owner who has charge, care, or control of a rental dwelling or rental unit which is let or offered for occupancy or who has charge, care, or control of a dwelling unit that is rented or leased as an STR dwelling unit. The owner must notify the City of any agent authorized to act on the owner's behalf. The tenant in a rental unit or occupant(s) of an STR dwelling unit may not act as the owner's authorized agent.
- (b) "Applicable codes" means all local, State, and Federal laws and regulations in force in the City that pertain to the maintenance and safety of residential property, including, but not limited to, the Michigan ~~Construction Code~~ Building, Mechanical, Plumbing, and Electrical Codes, the Property Maintenance Code, ~~and the International Fire Prevention Code adopted by the City, and, as applicable,~~ the Michigan Housing Law.
- (c) "Bedroom" means a room intended for sleeping or placement of a bed, separated from other spaces in the dwelling unit by one or more functional doors. The following spaces do not qualify as bedrooms: (1) kitchens; (2) dining areas; (3) gathering spaces such as family rooms, dens, enclosed porches or living rooms; (4) closets; and (5) attics or basements without ingress and egress meeting standards in applicable codes.
- (~~e~~)(d) "Code official" means a ~~public safety officer assigned~~ qualified employee or independent contractor designated by the City Manager to enforce this chapter.
- (~~d~~)(e) "Certificate of compliance" means a certification issued under this chapter stating that a residential dwelling was — as of the time of its last inspection — safe, healthful and in fit condition for occupancy. A valid rental license issued by the City prior to the effective date of Ordinance No. ~~546,599~~, qualifies as a certificate of compliance.

~~(f)~~ "Compensation" means money or other consideration paid or given in return for occupancy, possession, or use of a dwelling unit and related property.

~~(g)~~ "Dwelling unit" means a building or portion thereof that is designed for human occupancy and provides complete living facilities, including permanent provisions for sleeping, eating, cooking and sanitation.

~~(e)~~~~(h)~~ "Family member" means a child, grandchild, stepchild, brother, sister, step-brother, step-sister, half-brother, half-sister, parent, grandparent, stepfather and/or stepmother (but not the parents of such individuals), niece, nephew, uncle, aunt, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, and sister-in-law.

~~(f)~~~~(i)~~ "Let for occupancy" or "let" means to permit, provide, or offer occupancy of a building or portion of a building by a person who is not the legal or equitable owner for monetary or other consideration.

~~(g)~~~~(j)~~ "Michigan Housing Law" means Act 167 of the Public Acts of 1917, as amended, M.C.L.A. 125.401 et seq.

~~(h)~~~~(k)~~ "Occupant" means an individual living in, sleeping in, or otherwise having possession of a ~~space~~rental dwelling, rental unit, or STR dwelling unit.

~~(i)~~ "Owner" means the record legal title holder and any partners, members, or officers of a person holding title.

~~(l)~~ "Owner" means any person that has legal or equitable interest or title in the rental dwelling or STR dwelling unit or has lawful possession and control thereof, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of the rental dwelling or STR dwelling unit by a court.

~~(j)~~~~(m)~~ "Person" means an individual, married couple, joint tenancy, trust, corporation, limited liability company, partnership, association, or any other similar legal entity.

~~(k)~~~~(n)~~ "Property Maintenance Code" means the property maintenance code adopted in Chapter 1460 of these Codified Ordinances.

~~(h)~~~~(o)~~ "Rental dwelling" means a building or structure that has at least one rental unit. The term "rental dwelling" does not include jails, hospitals, foster care homes, short-term rental dwelling units, or buildings that are inspected by housing professionals under contract with the United States Department of Housing and Urban Development (HUD), the Michigan State Housing Development Authority (MSHDA), or an agency that is a sub-recipient of funding from either HUD or MSHDA.

~~(m)~~~~(p)~~ "Rental unit" means a space for sleeping or living with complete, independent living facilities (including permanent provisions for living, sleeping, eating, cooking and

sanitation) that is let for occupancy to any individual(s) other than a family member of the owner. The term “rental unit” does not include short-term rental dwelling units.

- (q) “Short-term rental (STR) activity” means the renting or leasing of a dwelling unit for compensation for a term between and including 1 night to 27 nights consecutively, where STR activity shall not be considered to include the following:
- A. Renting a bedroom on a non-commercial basis in an owner-occupied single-family residential home;
  - B. Transitional houses operated by a charitable organization;
  - C. Group homes such as nursing homes and adult-foster-care homes;
  - D. Substance-abuse rehabilitation clinics;
  - E. Mental-health facilities; and
  - F. Other similar health-care related facilities.
- (r) “Short-term rental (STR) dwelling unit” means a dwelling unit for which the City has lawfully issued a registration for renting or leasing for STR activity.
- (s) “Short-term rental (STR) property” means any lot, parcel or property on which at least one STR dwelling unit exists.
- (t) “Short-term rental (STR) registration” means the registration required by and issued under this chapter for an STR dwelling unit to lawfully conduct any STR activity.

Where a word, term, or phrase used in this chapter is not expressly defined in this Section or elsewhere in this Code, the definition contained in the City of Ionia Zoning Ordinance shall apply.

## **858.02 REGISTRATION.**

### (a) Registration required.

- (1) Rental dwellings. An owner of a rental dwelling located in the City, regardless of whether such owner resides in the City, shall ~~provide to register~~ the code official rental dwelling with the City in writing the information described in accordance with this section. The City shall maintain a registry of all rental dwellings, ~~upon such form as may be prescribed by the code official~~ containing, at a minimum, all the information provided by rental property owners, as well as dates of approved certificates of compliance. No registration is effective until and unless approved by the following information: City.
- (2) Address(es) of the STR dwelling units. Any property, parcel, building, dwelling unit, or structure conducting STR activity shall be registered with the City as required under this section. If two (2) or more dwelling units are located on an STR property, each dwelling unit for which STR registration is sought must meet all requirements for an

STR dwelling unit to be approved for registration. No registration is effective until and unless approved by the City. No unregistered dwelling unit shall conduct any STR activity.

~~(1) Application. To register a dwelling unit as a rental dwelling.~~

~~(2) Number and type of rental units.~~

~~(b) Name, address, and birthdate of the or for use as an STR dwelling unit, the property owner, shall:~~

~~(1) Provide and certify as true all of the following on a form or forms provided by the code official and filed with the City when fully complete:~~

~~a. The name, address, telephone number, and email address of the owner and any local agent for the dwelling unit, if applicable. In situations when the owner is not an individual, the name, address, and birthdate, telephone number, and email address of the president, general manager, partner, or other chief executive of the entity.~~

~~(3) Name The name, address, and birthdate of any agent designated by the owner.~~

~~a.b. Address and telephone number, and email address of the person responsible to accept notices and calls from the City. A local agent is required for every rental unit is required if and dwelling and STR dwelling unit where the owner does not reside in Ionia County or any county adjoining Ionia County within a 30-mile radius of the dwelling unit.~~

~~c. The street address of the dwelling unit, along with other identification if more than one (1) dwelling unit has the same street address.~~

~~d. The number and type of rental units, if applicable.~~

~~e. The number of bedrooms in the dwelling unit.~~

~~f. A statement certifying that each bedroom has a working smoke alarm, that there is a working carbon monoxide detector on each floor, and that those devices will be checked at least every 90 days.~~

~~g. A statement certifying that the owner consents to inspections by the City and will make the rental dwelling available for inspection upon request.~~

~~h. Such other information as the City deems appropriate.~~

~~(2) Pay a registration fee to the City, which amount shall be determined by resolution of the City Council and may be so amended from time to time. The fee schedule adopted by the City Council may include an enhanced fee for any dwelling unit found to have been operating as an unregistered rental dwelling or STR dwelling unit or otherwise in violation of the City Code, the City's Zoning Ordinance, or applicable codes.~~

~~(c) Complete application.~~

- (1) An application under this section shall not be considered accepted by the City until the City deems the application to be fully complete. If the code official determines that an application is incomplete, the code official shall send written notification to the applicant of the deficiencies.
- (2) If the applicant fails to provide to the City all of the information required by this section or fails to pay the required fee(s) within 30 days after being notified by the City of any deficiencies, then the application shall be deemed incomplete and shall be denied by the code official on that basis.
- (3) If any part of an application or related form is materially false, erroneous, or inaccurate, then that shall constitute grounds for the denial of registration approval or a later suspension or revocation of the registration approval.
- (4) It is a violation of this chapter to provide inaccurate information for the rental registry or to fail to provide information required by the City for the rental registry.
- ~~(1)(5)~~ Any change in the information required by this section shall be communicated in writing to the City within 30 days of the change by the owner or the owner's agent.
- (d) After the effective date of Ordinance No. 516, owners *Separate registration.* A separate registration is required for each dwelling unit that will be let for occupancy as a rental dwelling or used for STR activity.
- (e) *Conditions.* The City may impose additional reasonable conditions on a registration approval for a specific dwelling unit based on an unusual site layout or conditions.
- (f) *Change of ownership.* If the ownership of a rental dwelling or STR dwelling unit changes (due to a transfer of ownership or upon the transfer of a controlling interest in the entity that owns the property), the new owner must apply to the City for a transfer of the registration to the new owner within 30 days of the ownership change. The City will approve the transfer application if the rental dwelling or STR dwelling unit and STR property fully comply with the requirements of this chapter, the City Code and Zoning Ordinance, and all applicable codes. However, if the code official is aware of any potential violation of this chapter or any applicable laws, regulations, or codes, then the code official may treat the transfer application as an application for a new license.
- ~~(a)(g)~~ *Rental dwelling requirements.* Owners or agents responsible for rental dwellings shall comply with the following rental registry requirements:
- (1) All existing rental dwellings shall be registered within ~~90~~30 days of the effective date ~~of Ordinance No. 599.~~ Any existing rental dwelling that does not have a valid rental license as of ~~the adoption~~said effective date shall be subject to an initial compliance inspection and shall be required to obtain a certificate of compliance.

Any person occupying a rental unit ~~as of the adoption date~~ in such rental dwelling shall be permitted to remain until an initial compliance inspection can be conducted.

- (2) All rental dwellings constructed or established by conversion of an existing structure after the ~~adoption effective~~ date of Ordinance No. 599 shall be registered and required to obtain a certificate of compliance prior to being let for occupancy.

(h) STR registration requirements. The following requirements apply to the registration of STR dwelling units:

(1) Compliance with applicable codes. No STR registration shall be approved by the City unless the STR dwelling unit and STR property fully comply with the City Code, the City Zoning Ordinance, and all applicable codes (subject to any applicable lawful nonconforming use rights or the equivalent).

(2) Biennial registration required. Each STR registration approved by the City shall have a standard term of two (2) years from the date of issuance. To renew an expiring STR registration, the registration holder must submit to the City a completed renewal application no later than the date of the STR registration's expiration.

(i) No vested right. A registration approval under this chapter shall not confer a vested right or property interest.

~~(2) Any change in the information required by this section shall be communicated in writing to the City within 30 days of the change by the owner or the owner's agent.~~

### 858.03 CERTIFICATE OF COMPLIANCE.

(a) Certificate of compliance required. Except as otherwise provided in this chapter, no owner or agent responsible for a rental dwelling or STR dwelling unit shall let any rental unit in such dwelling without a valid certificate of compliance issued by the City after inspection (as conducted pursuant to Section 858.04).

(b) ~~A~~ Term. The term of a certificate of compliance shall ~~expire in accordance with the following guidelines~~ be as follows:

(1) A certificate of compliance for a rental dwelling with five or more rental units let for occupancy shall expire two (2) years after the date of issuance. The code official may choose to inspect only a portion of the rental units in such dwelling in order to issue a certificate of compliance, at the discretion of the code official. ~~An inspection fee will be assessed only for the rental units that are actually inspected.~~

~~(1)~~ (2) A certificate of compliance for a STR dwelling unit let for occupancy shall expire two (2) years after the date of issuance. The code official may choose to inspect only a portion of the STR in such dwelling in order to issue a certificate of compliance, at the discretion of the code official.

~~(2)~~(3) A certificate of compliance for a rental dwelling with less than five rental units let for occupancy shall ~~generally~~ expire four (4) years after the date of issuance. ~~However, Notwithstanding the foregoing sentence, however, such~~ certificate of compliance shall expire ~~only~~ two (2) years after the date of issuance if the owner or agent responsible for the rental dwelling has been found to be in violation of this chapter within the last five (5) years. Further, a four-~~(4)~~-year certificate of compliance may be amended to expire two (2) years from the date of original issuance if the owner or agent is later found to be responsible for a violation of this chapter. If ~~the~~such amendment results in an expired certificate of compliance, a complete compliance inspection ~~will~~shall occur, and a new two-~~(2)~~-year certificate of compliance ~~shall~~ be issued if the rental dwelling passes the inspection.

- (c) A certificate of compliance ~~only~~ authorizes occupancy ~~only~~ of the ~~rental dwelling~~ units that were let for occupancy as of the date of issuance. If new rental ~~dwelling or STR dwelling~~ units are ~~subsequently~~ added by construction or conversion, the owner or agent must notify the City and obtain a new certificate of compliance before such ~~rental dwelling~~ units can be occupied.
- (d) The City may refuse to issue a certificate of compliance for any rental dwelling ~~or STR~~ owned by a person or entity with outstanding bills or liabilities to the City.

#### 858.04 SCHEDULING OF INSPECTIONS.

~~(a)~~ Scheduling inspections. The code official shall be responsible for contacting owners and agents to conduct inspections:

~~(b)~~(a) unless otherwise provided in this chapter. The code official shall ~~endeavor to~~ schedule initial compliance inspections as follows:

- (1) Newly constructed rental dwellings ~~will~~shall be inspected in accordance with this chapter at the same time or as near to the same time as practicable that the building is subject to final inspection to obtain a certificate of occupancy as required under the ~~building code~~Michigan Building Code. Obtaining a building code inspection through the Ionia County Building Department does not excuse or satisfy a rental unit owner's obligation under this chapter to apply to the City for rental registration and inspection.
- (2) Existing structures that are converted to rental dwellings ~~will~~shall be scheduled for an initial compliance inspection within 30 days of the submission of the rental registry information under Section 858.02.
- (3) Rental dwellings that were not registered with the City prior to the adoption of Ordinance No. ~~516~~~~will~~599 ~~shall~~ be scheduled for an initial compliance inspection within ~~60~~30 days of the submission of the rental registry information.

- (4) Any new rental unit within a certified rental dwelling will be scheduled for an initial compliance inspection within 30 days of a request for inspection by the owner or agent.
- (5) Upon receipt of knowledge that a rental dwelling is not registered with the City as required by this chapter, the code official shall schedule an initial compliance inspection and may assess fees and/or issue violation citations as authorized under this chapter.

~~(e)(b)~~ Periodic compliance inspections will be scheduled by. For rental dwellings with valid existing certificates of compliance, the code official may schedule and conduct a periodic compliance inspection for ~~registered~~the rental dwellingsdwelling prior to the expiration of the existing certificate of compliance. Likewise, for STR dwelling units with valid registrations, the code official may schedule and conduct a periodic compliance inspection for the STR dwelling unit prior to the expiration of the registration.

~~(d)(c)~~ Non-periodic compliance inspections. Non-periodic compliance inspections may be required and scheduled as soon as practical by the code official:

- (1) Upon receipt of a written complaint from an owner, agent, occupant or citizen who would have occasion to be aware that the rental dwelling ~~or,~~ rental unit ~~is,~~ STR dwelling, or STR property may be in violation of this chapter.
- (2) Upon receipt of a report or a referral from any City department, public or private school or other public agency that a rental dwelling ~~or,~~ rental unit ~~is,~~ STR dwelling, or STR property may be in violation of this chapter.

(3) If the code official becomes aware that a rental property or STR dwelling unit is not registered with the City as required by this chapter.

~~(e)(d)~~ Right of entry and access required. When scheduling an inspection, the code official shall seek right of entry and access pursuant to Section 858.05 of this chapter, and shall not conduct an inspection until such ~~rights are~~right is obtained.

#### **858.05 RIGHT OF ACCESS FOR INSPECTION.**

- (a) Full access to premises required. To conduct a complete compliance inspection for purposes of this chapter, the code official ~~needs~~must be provided with full access to the STR dwelling unit or to all rental units to be inspected, and to all additional parts of the premises that serve such units, including mechanical equipment and hallways. The code official shall not request access to structures that are unattached from any STR dwelling unit or rental units and are occupied solely by the owner or the owner's family members, except to the extent needed to inspect mechanical equipment serving the STR dwelling unit or rental units.
- (b) Entry and access. By registering a ~~rental~~dwelling unit pursuant to this chapter, the owner or agent agrees to make the rental dwelling or STR dwelling unit available for inspections conducted under this chapter within 14 days of receiving notice of the need for inspection

from the code official. If an owner ~~or~~, agent, and/or occupant(s) hinders ~~at~~ the code official's entry or access to portions of a rental dwelling ~~premises or STR dwelling unit~~ so as to prevent a full inspection, the code official ~~is authorized to revoke a certificate of compliance, may~~ pursue administrative warrants, ~~or to secure entry and access or may~~ pursue other recourse as provided by law.

~~(e) If an occupant refuses to provide access to a rental unit, Accompanying the code official is authorized to pursue administrative warrants, or pursue other recourse as provided by law.~~

~~(d)(c) Upon request of the code official, the~~ The owner or agent responsible for the rental dwelling unit shall accompany the code official during the inspection and shall allow the code official full entry and access to the rental dwelling, rental unit, or STR dwelling unit.

#### 858.06 INSPECTION CONSEQUENCES.

(a) Failed inspections. If the code official conducts an inspection and determines that the rental dwelling ~~or, rental unit, or STR dwelling~~ unit is not in compliance with applicable codes, the code official ~~will~~ shall provide the owner or agent ~~with a written~~ list of items required to be completed or conditions to be met, and the ~~applicable time frame, required timeframe for addressing such issues~~ in order to schedule a re-inspection. A certificate of compliance or registration approval, as applicable, will be issued or renewed only when ~~these~~ all such requirements and/or conditions have been ~~met~~ satisfied.

~~(b) If the code official does not conduct an initial compliance inspection within the time frames stated in Section 858.05, the owner or agent shall, upon request, be entitled reimbursement of the initial registration fee. The building inspector's inability to~~ Rental dwelling compliance inspections.

(1) The code official's failure to timely conduct an inspection shall not be construed as in any way authorizing an owner or agent to let a rental dwelling or rental unit prior to the issuance of a certificate of compliance.

(2) If the official does not conduct a periodic compliance inspection prior to the expiration date of the certificate of compliance, one of the following shall apply:

a. ~~And~~ If the failure to conduct an inspection is not due to any action or failure of the owner or agent ~~(including a failure to make the rental dwelling available for inspection within 14 days of receiving notice of the need for inspection),~~ the owner or agent ~~shall be permitted~~ may continue to let the subject rental dwelling or rental unit until the code official conducts an inspection and ~~decides~~ determines whether or not to ~~issue or renew~~ at the certificate of compliance.

And

- b. If the failure to conduct an inspection is due to an action or failure of the owner or agent (including such as, without limitation, a failure to make the rental dwelling available for inspection within 14 days of receiving notice of the need for inspection), the owner or agent shall not let the subject rental dwelling or rental unit and, if occupants are utilizing the rental dwelling or unit, the code official may require vacation of the subject rental dwelling or rental unit and may seek a court order of eviction pursuant to Section 858.0709(c).

#### **858.07 FEES SHORT-TERM RENTAL REGULATIONS.**

Except as otherwise provided in this section, the following regulations shall apply to STR dwelling units and STR properties:

- (a) Contact person required. All STR dwelling units shall have a contact person that is reasonably available to respond to issues related to the STR dwelling unit within twenty-four (24) hours of notification by the City of an issue. The City shall be provided with contact information for the contact person and the contact person shall have access to the STR dwelling unit and full and complete authority to immediately assume management and control of the STR dwelling unit and STR property and to take remedial measures, if necessary. The contact person may be the owner, agent, or another individual.
- (b) Maximum occupancy. The maximum number of occupants in an STR dwelling unit shall not exceed that permitted by applicable codes.
- (c) Compliance. STR dwelling units and STR properties shall comply with the City Code and Zoning Ordinance and all applicable codes; nothing in this chapter shall be construed as excusing compliance with or lessening any zoning or code requirements.
- (d) Maintenance, operation, and condition. Every STR dwelling unit and related STR property, facilities, and accessory structures shall be well-maintained and operated and kept in good condition, repair, and appearance at all times. All major appliances (such as a washer and dryer, stove/range, refrigerator, furnace and hot water heater) shall be in good condition and kept in working order at all times. A material and substantial violation of this subsection constitutes a violation of this chapter.
- (e) None of the following shall be used as an STR dwelling unit nor be rented or leased for use, habitation, or lodging for STR activity:
- (1) A tent, bunkhouse, shed, barracks, or similar structure.
  - (2) A dwelling unit or structure that does not meet all applicable height, bulk, size, setback, and other requirements set forth in Appendix I, Schedule of Regulations.
  - (3) A dwelling unit that was unlawfully built, expanded, or modified.
  - (4) A camping trailer, recreation vehicle, popup trailer, bus, motorhome, or similar vehicle.

(5) An accessory dwelling unit (ADU), as set forth in Section 1286.14.

(6) A dwelling unit that has not been validly registered with the City as an STR dwelling unit.

(7) A dwelling unit or structure that does not comply with the requirements of all applicable requirements of the Zoning Code, building, mechanical, plumbing, and electrical codes, and the International Fire Prevention Code and International Property Maintenance Code that have been adopted by the City.

(f) The City Council may adopt rules and regulations to implement STR registrations and other aspects of this chapter regarding STR dwelling units and properties.

#### **858.08 FEES.**

(a) The owner or agent responsible for a rental dwelling or STR dwelling unit shall pay a fee for the initial registration of the dwelling unit, all required compliance inspections, if applicable, all required re-inspections, and any appeal request that does not result in a reversal or modification of the code official's decision. The fees shall be in amounts established from time to time by resolution of the City Council.

(b) All required fees shall be paid prior to the issuance of a certificate of compliance for a rental dwelling or the issuance of a registration approval for an STR dwelling unit.

~~(c) The code official shall waive registration and inspection fees for any tax exempt charitable organization that is operating the subject rental dwelling for charitable purposes (such as providing relief to the poor or to victims of domestic violence), or that is letting the subject rental unit to its own employees (such as pastor of a church renting a church owned dwelling).~~

#### **858.0809 PENALTIES.**

(a) Any violation of this chapter shall be a municipal civil infraction and shall be subject to such fines, costs and other relief as provided for in Section 202.99 of these Codified Ordinances.

(b) Where an owner has notified the City that an agent is authorized to act on his behalf, the agent ~~(and not the owner)~~ shall generally be the party responsible for violations of this chapter. However, this ~~division subsection~~ shall not be interpreted as precluding the City from seeking the remedies provided in ~~division (d)~~ this section in situations where the owner has authorized an agent.

(c) Upon a finding of responsibility by the court for a violation of this chapter, including a violation of applicable codes, the code official may revoke an existing certificate of compliance or registration approval and may seek the issuance of a court order

compelling the eviction of all persons and property upon the premises until a new certificate of compliance or registration approval is issued by the City.

- (d) The City may seek a court order requiring an owner or agent to abate conditions in a rental dwelling or STR dwelling unit that constitute a violation of applicable codes, and may seek permission for City personnel to abate such conditions with the cost of abatement becoming a lien on the property ~~collected~~collectible in the same manner as property taxes.

#### **858.0910 APPEALS.**

(a) *Appeal Procedure.*

- (1) Any owner aggrieved by a decision of the code official made pursuant to this chapter (except for decisions to commence enforcement proceedings or obtain a warrant in a court of competent jurisdiction) may request a hearing on the matter before the ~~Housing Board of Appeals. Examples of decisions that can be appealed include decisions to revoke or withhold a certificate of compliance and decisions to deny a fee waiver under Section 858.06.~~ City of Ionia Housing Board of Appeals. The aggrieved person shall file a written appeal request to the code official requesting the hearing. The appeal request shall include the name, address and phone number of the appellant, and a brief statement of the grounds for the appeal.
- (2) Any appeal request submitted under this section shall not be processed until payment of the applicable appeal fee.
- (3) The appeal must be filed within 21 days after the date of the decision being appealed (which shall be the date when the owner or agent first received notice of the decision). Failure to file the written notice of appeal within the 21-day period shall be deemed a waiver of the person's right to a hearing. Upon timely receipt of an appeal, the code official shall set a time for a hearing before the Housing Board of Appeals and shall give the appellant notice of the date, time and location for the hearing.

(b) *Hearings.*

- (1) Hearings conducted by the Housing Board of Appeals shall be commenced within a reasonable time after an appeal has been filed. At such hearings, the appellant shall be given an opportunity to be heard and to show cause as to why the code official's decision was in error. The code official shall be given the opportunity to provide information about the decision being appealed.
- (2) The Housing Board of Appeals shall conduct the hearing in a public meeting accordance with the Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, M.C.L.A. 15.261 et seq.

(3) After a hearing, the Housing Board of Appeals may affirm, reverse, or modify the decision of the code official. In rendering ~~these determinations~~ a determination, the powers of the Housing Board of Appeals shall be limited to interpreting the provisions of this chapter and the applicable codes and applying their specific provisions to the specific case being heard.

(c) *Decision.* The decision of the Housing Board of Appeals shall be final.

**Section 2. Repealer.** All ordinances and parts of ordinances in conflict herewith are repealed to the extent of such conflict.

**Section 3. Severability.** Should any section, portion or part of this Ordinance be declared to be invalid by a court of competent jurisdiction, such declaration does not void or render inoperable any other part of this Ordinance.

**Section 4. Publication and Effective Date.** The City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect immediately upon publication of a summary thereof as permitted by law, along with the date of its adoption, in the *Daily News*, a newspaper of general circulation in the City.

**ORDINANCE NO. 599 DECLARED ADOPTED.**

CITY OF IONIA

Dated: 11/5/25

  
By: Jonathan T. Bowman, City Clerk

Introduction and First Reading:  
Notice of Public Hearing:  
Public Hearing, Second Reading, Adoption:  
Effective (upon publication):

October 1, 2025  
October 9, 2025  
November 5, 2025  
November 13, 2025