

**CITY OF ALBION
ORDINANCE #2023-03**

**AN ORDINANCE TO AMEND CHAPTER 18 BY AMENDING
ARTICLE IX RENTAL REGISTRATION, SECTION 18-391, REGISTRATION OF
RENTAL UNITS**

Purpose and Finding:

The City Council previously adopted a rental registration ordinance providing for the registration of rental units throughout the City. Staff has advised that it anticipates significant difficulty getting all rentals to comply in the 30-day window from the previously adopted ordinance's effective date and April 1, 2023. Staff is requesting that the ordinance be amended to allow for registration by October 1 of each year. The ordinance is otherwise unchanged. Approval is recommended.

THE CITY OF ALBION ORDAINS:

Section 1: Chapter 18, of the Codified Ordinances of the City of Albion is hereby amended, by amending Article IX Rental Registration, Section 18-391, as follows:

18-391: Registration of Rental Units

a) Registration of Rental Units Required; Fees.

- 1) Annually, on or before October 1 of each year, every owner of a rental unit shall register the same with the City Clerk; make application for an annual license to the City Clerk. The applicant shall also file a written certification that no rental units to be registered are in violation of this Article. Each registration and application for license shall be accompanied by an appropriate fee as set by resolution of City Council.
- 2) Should the title to the property, which is the subject of the application and registration, be obtained more than six (6) months after the annual registration date for that year as specified above, then the license fee to be paid by the applicant shall be one-half (½) the annual fee for such property. The license issued the applicant shall be valid until the following October 1, the regular annual application and registration date.
- 3) In the event an owner shall fail to comply with the provisions of this Section on or before October 1 of each year the owner shall pay in addition to the filing fee a late filing fee according to the schedule of fees applicable to this Article.

b) Registration of Rental Dwellings. Application for registration and license shall be made in such form and in accordance with such instructions as may be provided by the City Clerk and shall include:

- 1) The address of the rental dwelling.
- 2) The number of dwelling units

- 3) The name, residence address, and phone number of the owner.
 - 4) The name, address, and phone number of the manager or agent designated by the owner.
 - 5) The date of registry and registration identification number.
 - 6) Total amount of registration fees.
- c) *Issuance of License.* The City Clerk shall issue a license if the applicant is not in default to the City, has paid all applicable fees, registered and furnished all the information required by this Section, and the rental dwelling, its unit(s), accessory structures, and yard(s) are in compliance with all applicable building and zoning regulations.
- d) *Revocation of License.* The Clerk may revoke a rental housing license if the owner or applicant has:
- 1) Misrepresented the ownership or the state or condition of the rental property;
 - 2) Violated this Article or any other applicable provision of the City Code, including all applicable building and zoning regulations;
 - 3) Is in default to the City;
 - 4) Unpaid charges against the rental property for mowing, weed or debris removal, or similar charges; or
 - 5) Unpaid fees, fines, penalties or debts of any sort arising from the provisions or enforcement of the provisions of this Article.
- Prior to revoking a rental housing license, the CEO shall cause a written "Notice of Intention to Revoke License" to be delivered to the owner not less than thirty (30) days prior to the proposed effective date of revocation of the license. The Notice shall be sent by the CEO by first class mail and by certified mail to the owner at the address given by the owner when the rental unit(s) was last registered with the City. In the alternative, the Notice may be personally served upon the owner by the CEO.
- e) *Right to Appeal.* Upon refusal of the City Clerk to issue a license or upon revocation of a license by the City Clerk, the applicant or owner may appeal the decision to the Building Board of Appeals.
- f) *Certificate of Registration.* The CEO shall maintain a registry of the owners (and their responsible agents, if any) of all rental units in the City.
- g) *Change in Register Information.* The owner of rental units previously registered with the CEO shall notify the CEO within thirty (30) days of any change in registration information. A new owner of a registered rental unit(s) shall re-register such unit(s) within thirty (30) days of the date of transfer of ownership. No new fees shall be charged for change of registration.

- h) *Registry of New Rental Dwellings*. The owner of a new rental dwelling or of any dwelling newly converted to a rental dwelling shall register the rental dwelling prior to allowing occupancy of any new rental units.
- i) *Sale of Rental Unit*. The sale of real estate on which a rental unit or units are located shall automatically terminate any rental unit license with respect to such rental unit(s). Prior to the sale, assignment, or transfer by the owner of any interest in a rental unit structure, the owner shall cause all rental units to be inspected by the CEO who shall prepare a written report and furnish the owner with a copy within seven (7) working days after receiving a written request for such inspection. The inspection report shall be valid for thirty (30) days unless extended in writing by the CEO.

Section 2: Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

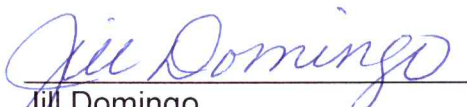
Section 3: Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

This Ordinance shall take effect on May 3, 2023 after publication.

First Reading:

March 20, 2023

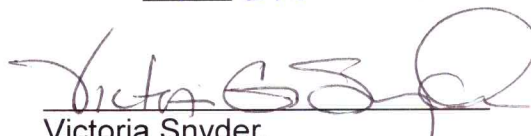
Ayes 7
Nays 0
Absent 0


Jill Domingo,
Clerk

Second Reading & Adoption:

April 3, 2023

Ayes 6
Nays 0
Absent 1 (Davis)


Victoria Snyder,
Mayor