

# CHAPTER 1484

## State Housing Law

1484.01 Application.

1484.02 Board of Appeals.

1484.03 Conflicts with State Construction Code.

1484.99 Penalty.

### CROSS REFERENCES

State Housing Code - see M.C.L.A. Secs. 125.401 et seq.

Municipal Housing Act - see M.C.L.A. Secs. 125.651 et seq.

Municipal housing commissions - see M.C.L.A. Secs. 125.653 et seq.

Adoption, promulgation and publication of rules - see M.C.L.A. Secs. 125.694b

Board of Tenant Affairs - see M.C.L.A. Secs. 125.699 et seq.

Acquisition and maintenance of housing projects - see M.C.L.A. Secs. 125.731 et seq.

Hotels, boarding and lodging houses - see M.C.L.A. Secs. 427.1 et seq.; B.R. & T. Ch. 836, Ch. 868

Housing Commission - see ADM. Ch. 274

Numbering of multifamily dwellings - see B. & H. 1470.03

Rental housing regulations - see B. & H. Ch. 1482

Smoke detectors in dwellings - see F.P. 1610.14(b), (c)

### **1484.01 APPLICATION.**

It is acknowledged that Act 167 of the Public Acts of 1917, as amended (the *Housing Law of the State of Michigan*), being M.C.L.A. 125.401 et seq.; MSA 5.2771 et seq., applies within the City except for private dwellings and two-family dwellings. (Ord. 274. Passed 11-6-89.)

### **1484.02 BOARD OF APPEALS.**

Section 8 of the *Housing Law of the State of Michigan* provides for decisions of the Board of Appeals, but that Act does not establish or regulate such Board (M.C.L.A. 125.408; MSA 5.2778). All powers and obligations of a board of appeals under the *State Housing Law* are hereby conferred on the Board of Zoning Appeals. (Ord. 274. Passed 11-6-89. Ord 599. Passed 5-1-03.)

### **1484.03 CONFLICTS WITH STATE CONSTRUCTION CODE.**

It is recognized that conflicts between the *State Housing Law* and the *State Construction Code* may occur from time to time. If such a conflict occurs regarding new construction, that new construction need only comply with the *State Construction Code*. If such a conflict occurs regarding existing construction, and if that construction occurred since November 6, 1974, the effective date of the *State Construction Code*, that construction need comply with either the Housing Law of 1917 or the applicable construction code at the time of the construction. If any other such conflict exists, it shall be resolved by executive order of the City Manager or by the Board of Zoning Appeals.

- a) **Appeals.** Any aggrieved party may appeal a decision of the Housing Administrator to the Board of Zoning Appeals. The Board may interpret this chapter. After a public meeting, the Board may grant a specific variance to a substantive requirement of this chapter if the literal application of such substantive

requirement would result in an exceptional, practical difficulty to the applicant, and if the performance of the particular item or part of the building or structure with respect to which the variance is granted shall be adequate for its intended use and shall not substantially deviate from performance required by this chapter of that particular item or part for the public health, safety and welfare.

- b) **Conditions.** The Board may attach, in writing, any condition in connection with the granting of a variance that, in its judgment, is necessary to protect the public health, safety and welfare. The breach of a condition shall automatically invalidate the variance and any permit, license and certificate granted on the basis of it. In no case shall a variance from the provisions of this chapter be granted that is more than the minimum necessary to alleviate the exceptional, practical difficulty. The Board may not modify, subtract from or add to this chapter, except as may be incidental in its interpretation and grant of a variance. Decisions of the Board shall be final. (Ord. 274. Passed 11-6-89. Ord. 599. Passed 4-21-03.)

**1484.99 PENALTY.**

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)