

CITY OF ROCKWOOD

ORDINANCE NO. 489

AN ORDINANCE TO AMEND SECTIONS §109-6 AND §109-7 OF THE ROCKWOOD CITY CODE TO REQUIRE THE SELLER , TRANSFEROR, BUYER OR TRANSFEREE TO POST A BOND TO PERFORM.

Section 1. That Chapter 109: Housing, Section 109-6 of the Rockwood City Code is hereby amended to provide as follows:

"Sec. 109-6. Registration; fees

Any person intending to transfer a dwelling must first register and make arrangements with the Building Department for an inspection of the dwelling, to occur prior to the date of transfer. The fee for the registration and inspection shall be \$300. Up to a \$5,000 refundable bond may be required based upon the building inspector's review of the costs, safety, number of repairs, and the severity of the violations. The building inspector shall set the amount of the bond, if any, up to \$5,000. In the event that the person transferring the property fails to have the property registered, fails to have the property inspected, or fails to acquire a current certificate of review, the transferee shall be required to have the property registered, comply with the inspection and any bond requirements, and satisfy the certificate of review requirements of this Article before occupying the property, or within 14 days of the transfer, whichever is sooner."

Section 2. That Chapter 109: Housing, Section 109-7 of the Rockwood City Code is hereby amended to provide as follows:

"Sec. 109-7. Correction of violations by buyer; period of validity of inspection report; issuance of certificate of approval.

A. As long as the seller, transferor, buyer and/or transferee are in compliance with all other provisions of Section 109, including, but not limited to any registration and bonding requirements, the buyer may assume the responsibility of correcting violations, provided such corrections are completed within a six-month period, by executing a notarized affidavit on a form provided by the Building Department to keep on file to this effect and submitting said affidavit to the Building Department.

Section 3. Saving Clause. Nothing in this Ordinance or in the Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. Severability. Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any court of competent jurisdiction or by any state agency having authority to do so for any reason whatsoever, such holdings shall be construed and limited to such work, sentence, phrase or any portion of the Ordinance held to be so invalid shall not be construed as affecting the validity of any of the remaining words, sentences, phrases or portions of this Ordinance.

Section 5. Conflicting Ordinances. All prior existing ordinances adopted by the City of Rockwood inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

Section 6. Repealed. All ordinances or parts of ordinances in conflict herewith are hereby determined to be repealed.

This ordinance has been approved by the City of Rockwood City Council in a regular meeting held on JAN. 3, 2018, 2017, at City Hall at a properly noticed meeting.

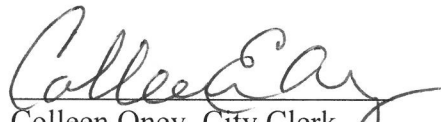
AYES Mayor Guzzi, Council members Bennett, Farmer, Smith, Wasner and Yanca-Laura

NAYS _____

ABSENT: Council member Scafidi

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

I, the undersigned, the duly qualified Clerk of the City of Rockwood, Wayne County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Resolution and Ordinance adopted by the Rockwood City Council on the 3 day of January 2018, 2017, the original of which is in my office, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of PA 1976, as amended and that the minutes of said meeting will be or have been made available as required by said Act.


Colleen Oney, City Clerk

Dated January 3, 2018, 2017