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CITY OF ROCHESTER HILLS

**B**uilding  
Department

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Director Building/Ordinance Compliance  
Robert White  
Supervisor Ordinance Compliance

DATE: October 18, 2006

TO: Mayor Barnett  
City Council Members

RE: Update on the Property  
Maintenance Code Adoption

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On June 21, 2006 we met with the City Council and presented information on the Blight Ordinance. At that meeting the Council directed staff and the City Attorney to research and develop a Property Maintenance Ordinance to be presented to Council.

The ordinance staff reviewed the 2003 International Property Maintenance Code (IPMC) to determine if we could adopt the IPMC as written or if revisions were necessary to meet the needs of the City. The question was also raised as to whether we could adopt the IPMC by reference. In 2002 the City previously looked into this issue and it was not allowed.

In early July we met with the City Attorney to get an updated opinion on this issue. On July 24, 2006, we received a written opinion stating, "The City would be authorized to adopt a local Property Maintenance Code if so desired. To this end, the City could adopt the International Property Maintenance Code by reference." The City Attorney was then directed to draft a Property Maintenance Ordinance.

On August 8, 2006 we received a draft of the Property Maintenance Ordinance from the City Attorney. The ordinance staff was given a week to review the document.

When we met in mid August, we had concerns regarding the method of enforcing the ordinance in that it offered an appeal to the Construction Board of Appeals, which would be expensive and time consuming. Also during this meeting, we discussed three options:

1. Simply adopting the IPMC;
2. Creating our own Property Maintenance Ordinance without using the IPMC;
3. Adopting the IPMC, consolidate and enhance all of the current Property Maintenance Ordinances, delete unnecessary ordinances and sections of the IPMC, and create a new Property Maintenance Article in the Code of Ordinances.

On September 11, 2006, we met with the City Attorney to discuss the three options. It was determined that option 3, while being the most work, would give us the best of the International Code and allow us to customize our ordinances to meet our needs.

On September 20, 2006 the ordinance staff met to discuss the revisions needed to existing ordinances such as the solid waste, weed, blight, junk vehicles, brush piles, recreational vehicles, dangerous building ordinances and any other related ordinances. We then determined the changes needed and will provide those comments to the City Attorney when the complete Property Maintenance package is sent to him.

In early October, we obtained copies of the Property Maintenance Ordinances from Auburn Hills, Dearborn Heights, Port Huron, Royal Oak, Farmington Hills, Orion Township, Novi, and Rochester, and have spent a considerable amount of time in the last couple of weeks reviewing these documents and picking out sections that we could include in our ordinance. We also reviewed the Littering Ordinance for Orion Township that has the new state law provision allowing for civil fines up to \$2500.00 for costs incurred by jurisdictions dealing with junk or abandoned vehicles. We plan to recommend this be incorporated in our Property Maintenance Ordinance proposal.

We are currently reviewing a performance based code enforcement process that is used in the City of Farmers Branch, Texas. This process would enable us to measure the Property Maintenance program's effectiveness. The property condition survey criteria and form attached will be used to do a baseline survey of properties in the City.

It is our intent to finalize a document to be forwarded to the City Attorney incorporating the IPMC and updated/consolidated ordinances with sections from other Property Maintenance ordinances that we feel will work best for the City. We also will continue studying the information from Texas and determine how we can reallocate our resources to complete the baseline survey of all properties in the City.

Once we get the documents finalized with the City Attorney we will bring a proposal to City Council for your consideration. Our goal is to bring it to you before the end of this year.

Our efforts to gain voluntary compliance are also moving forward with the development of a "Guide to Neighborhood Living" that will be completed by the end of November. This guide is being developed to educate homeowners on the responsibilities they have as residents of Rochester Hills. We are also hosting our second Homeowner's Association Forum on November 30, 2006 from 7:00 p.m. until 9:00 p.m., which will allow us to introduce our new guide.

## Property Condition Survey Criteria

|  | <u>Ranking</u> | <u>Condition Description</u>  |
|--|----------------|---|
| <b>Structure Condition</b><br><br>Use separately for<br><br>Main Structures<br><br>and Accessory<br><br>Structures | 0              | Adequate weather protection, no deterioration to roof, exterior surfaces, cornice, siding, windows or screens.  |
|  | 1              | Slight deterioration of weather protection, roof, exterior surfaces, or cornice. A few broken or loose siding pieces. Some cracked glass or torn screens.   |
|  | 2              | Inadequate weather protection (exposed or unpainted wood), greater than 25% of wall area needs paint. Some roofing is missing or loose. Some deterioration of eaves and cornice. Slight waves in roof line. One broken window and screen missing. |
|  | 3              | Obvious waves or dips in roof line. Eaves and cornice need replacing. Large amount of roofing missing. 25% of siding pieces missing or bare and decayed wood. Two or more broken windows and missing screens.                                     |
|  | 4              | Dilapidated and/or uninhabitable  |
| <b>Yard Condition</b><br><b>Grass and Weeds</b>  | 0              | Well manicured and landscaped lawn/yard.  |
|  | 1              | Keep grass cut only. Not edged and/or other areas need aesthetic attention.   |
|  | 2              | Grass and/or weeds 6" to 12" high or patches of bare ground.  |
|  | 3              | Grass and/or weeds over 12" high.   |
| <b>Sanitary Condition</b><br><b>Litter and Debris</b>  | 0              | No trash, litter, debris or other outside storage.  |
|  | 1              | Scattered items of trash, litter or debris. Small amount of prohibited outside storage.   |
|  | 2              | Concentration or accumulation of trash, litter and debris. Large amount of prohibited outside storage.  |
|  | 3              | Greater than 33% of the yard covered in trash, litter, debris or other items  |

**Junk Vehicles**

|   |  |
|---|--|
| 0 | No junk or inoperable vehicles at premises.                        |
| 1 | One inoperable vehicle at premises.                                |
| 2 | Two or more inoperable vehicles at premises.                       |
| 3 | One junk or three or more junk or inoperable vehicles at premises. |

**Fence Condition**

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|---|--|
| 0 | Fence maintained in good condition.  |
| 1 | Fence missing a few pickets or leaning slightly or deteriorated fence material                           |
| 2 | Fence not reasonably plumb and/or missing several pickets major deterioration of fence material.         |
| 3 | Fence leaning to a point where it is dangerous or structural members no longer capable of supporting its |

**Driveways**

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|---|---|
| 0 | Driveway in good condition.   |
| 1 | Slight spalling or minor dry shrinkage cracking. No structural displacement                           |
| 2 | Slight structural displacement of less than 1 inch. Spalling on more than 25% of the area of the      |
| 3 | Major structural displacement of more than 1 inch. Portions of the pavement missing. Spalling on more |

**Other Flatwork**

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|---|---|
| 0 | Sidewalks, patios, porches and other flatwork in good condition.  |
| 1 | Slight spalling or minor cracking. No structural displacement.  |
| 2 | Slight structural displacement of less than 1 inch. Spalling on more than 25% of the area of the  |
| 3 | Major structural displacement of more than 1 inch. Portions of the flatwork missing or heaved. Spalling on more than 50% of the area of the flatwork. |

## PROPERTY CONDITION SURVEY

Section \_\_\_\_\_

| Address | Main Bldg.<br>Structural | Accessory<br>Bldg.<br>Structural | Yard | Litter &<br>Debris | Junk Vehicle | Fence | Driveway | Other<br>Flatwork |
|---------|--------------------------|----------------------------------|------|--------------------|--------------|-------|----------|-------------------|
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