CITY OF SOUTHFIELD
SUMMARY OF ORDINANCE NO. 1835

The City of Southfield has amended the Code of the City of Southfield, Title VII, Building Regulations, by inserting therein a new chapter, Chapter 108 Residential Point of Sale. A true copy of Ordinance No. 1835, its complete content, may be inspected and obtained at the Southfield City Clerk's Office, 26000 Evergreen Road, Southfield, MI 48076.

A summary of Ordinance No. 1835 is as follows:

THE CITY OF SOUTHFIELD ORDAINS:

SECTION 1.

THE CODE OF THE CITY OF SOUTHFIELD, TITLE VII BUILDING REGULATIONS, IS HEREBY AMENDED BY INSERTING THEREIN A NEW CHAPTER, CHAPTER 108 RESIDENTIAL POINT OF SALE, WHICH SHALL READ AS FOLLOWS:

Sec. 8.911 Purpose.

In recognition of the fact that a substantial segment of existing residential stock within the City of Southfield (herein "the City") may not meet all applicable codes, due to work having been undertaken without permits or the failure to obtain required inspections, and otherwise due to the general failure to properly maintain such property in compliance with the City of Southfield building and related codes, the City finds a need for a program to determine basic levels of safety for residential homes within the City. To protect and promote the public health, safety, and general welfare of the City and its residents, and to prevent further deterioration of existing housing, the City Council has determined that establishing a Point-of-Sale Housing Inspection program is necessary. However, since it is impractical to mandate complete compliance with all applicable codes for all residential housing within the City, the purpose of this ordinance is to address basic safety concerns as set forth herein, requiring that such issues are corrected prior to the sale of any existing residential property.

Sec. 8.912 Scope.

The provisions of this ordinance apply to all residential housing within the City. No person shall sell, purchase, give, convey by deed, land contract, lease purchase, or otherwise, or in any other manner transfer title to any single-family home, duplex, townhome, condominium, or any other residential dwelling in the City without first applying for and obtaining a Certificate of Occupancy from the City. A buyer or other transferee of a residential dwelling shall not occupy the structure prior to the issuance by the City of a Certificate of Occupancy. Provided, however, a Certification of Occupancy shall not be required in the following circumstances:

(l) A Certificate of Occupancy has been issued by the Building Official within one year before title to the property is being transferred;

(2) The property is newly constructed and has not been previously occupied; or
Inspections hereunder and the Certificate of Occupancy are not intended to verify compliance with all applicable plumbing, heating, air conditioning, electrical or building codes. Inspections made pursuant to this ordinance are made in order to improve the overall housing stock in the City and are not meant to constitute any warranty or guarantee whatsoever as to the condition of the dwelling.

SECTION 2

Should any section, clause, or paragraph of this ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the ordinance as a whole or part thereof other than the part declared to be invalid.

SECTION 3

All ordinances or part of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 4

Any firm, corporation, or person who violates any of the provisions of this ordinance is responsible for a municipal civil infraction and shall be subject to such penalties as are provided in chapter 15, section 1.703, of the Southfield City code.

SECTION 5.

This ordinance shall become effective upon passage and publication.

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This summary is provided, pursuant to Section 311 §(k) of the Home Rule Cities Act, 1909 PA279, as amended [MCL117.3(k)].

GABI GROSSBARD, City Clerk

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