

Occupancy Inspections and Occupancy Permits

Ordinance 239 requiring Occupancy Inspections and the Issuance of Occupancy Permits was approved by the City Council of the City of Bangor on November 2, 1998. It is still in effect today.

Rental Housing

The ordinance requires an Occupancy Inspection be completed and an Occupancy Permit issued with each change of tenants/occupants of a rental unit. Apartment complexes with 6 or more units are required to have an annual inspection. In other words, if you rent a home or an apartment in the City of Bangor, before you allow a new tenant to move in, you must have an Occupancy Inspection completed and an Occupancy Permit issued.

Owner Occupied Housing

The ordinance requires an Occupancy Inspection completed and an Occupancy Permit be issued for owner-occupied structures in the City of Bangor when there is a change of owners. In other words, if you sell a home, before the new owners move in, there is to be an Occupancy Inspection completed and an Occupancy Permit issued.

Why do an Inspection?

The intent of the ordinance is to protect the quality of the housing stock in the City of Bangor and to assure that people have safe and sound places to live.

The Occupancy Inspection and Permit allows our Building Inspector to determine if the structure meets existing building codes. It also allows our inspector to determine if there are other issues that may require electrical, plumbing or mechanical inspections or improvements made.

As a protection for the owner/landlord this process would have established a record of the condition of the structure at the time of beginning occupancy.

The City requires the structure/unit remain unoccupied until the necessary Occupancy Inspection is completed and an Occupancy Permit is obtained.

The Inspection will also determine the occupancy limits for the housing unit. See separate heading below.

Who Requests an Occupancy Permit Inspection?

The buyer, the seller, the landlord, or the tenant may come to City Hall and apply for an occupancy inspection and permit.

What is the Cost?

The cost is \$40. The cost covers the payment to the inspector for conducting the inspection. This fee may change from time to time.

Who Does the Inspection?

The City's Building Inspector makes the inspection once the application is paid for and completed properly.

The Inspection Will Determine Your Occupancy Limits

What are Occupancy Limits?

Occupancy Limits are the number of people that may safely occupy a home or rental unit. It is based on the amount of square feet per person. Limits in effect in Bangor are as follows:

- Sleeping rooms for one occupant must have 70 square feet.
- Sleeping rooms for more than one occupant are to have at least 50 square feet of floor space for each occupant. If a room is to sleep two people, it shall have at least 100 square feet of floor space. A room 10' by 10' meets this requirement. If a room is to sleep 3 people, it must have at least 150 square feet of floor space. Rooms 10' by 15' or 12' by 13' meet this requirement.
- Every bedroom shall have access to a bathroom without having to pass through another bedroom.
- Living rooms for 1-2 people have no requirements for floor area.
- Living rooms for 3-5 occupants shall have a minimum of 120 square feet of floor area.
- Living rooms for 6 or more people shall have a minimum of 150 square feet of floor area.
- Dining rooms for 1-2 people have no requirements for floor area.
- Dining rooms for 3-5 occupants shall have a minimum of 80 square feet of floor area.
- Dining rooms for 6 or more people shall have a minimum of 100 square feet of floor area.
- Kitchens for 1-2 people shall have a minimum of 50 square feet of floor area.
- Kitchens for 3-5 people shall have a minimum of 50 square feet of floor area.
- Kitchens for 6 or more people shall have a minimum of 60 square feet of floor area.

What if the Inspection Finds Something Wrong?

You can help by fixing things before the Building Inspector arrives (see below). Any findings of defects or deficiencies must be taken care of in a timely manner. The

Building Inspector will set a reasonable time frame to have items corrected. Sometimes, items must be corrected before occupancy can be allowed.

What happens if the Apartment or Home is Occupied Without an Occupancy Inspection and Permit?

The ordinance allows the City to cite (fine) the property owner. The fine is now \$75 per day the unit is occupied without an Occupancy Permit. Sometimes, with stubborn or defiant property owners, a date is set and the water service is shut off until the required Occupancy Inspection and Permit is issued.

What Does the Inspector Look for When Doing the Occupancy Inspection?

Listed below are some of the things that the Building Inspector will look for when doing an Occupancy Inspection. These are health and safety issues. Your attention to these items before the Building Inspector Arrives may eliminate the need for follow-up inspections and fees.

- Every bedroom must have at least one operable window that is big enough to allow escape and rescue from fire or other emergencies.
- Every bedroom must have one working smoke detector. The batteries must be in the smoke detector. Smoke detectors may also be 'hard wired' into the electrical system.
- Electrical outlets must be 'ground faulted' if there are near water faucets, sinks, or tubs.
- Water heater pressure relief valves must be working, sized with 3/4 inch galvanized pipe and extend within 6 inches of the floor.
- Bathroom and kitchen appliances must be clean, in good repair and operational.
- Stairs over 3 steps must have secure handrails.
- Holes in floors, walls, ceilings must be fixed and finished (painted, wall papered, paneled, etc.) properly.
- Trash and debris around the home that may house insects or rodents must be removed.
- Dirty and soiled walls and ceilings are not healthy for occupants. Walls and ceilings should be clean and finished (painted, wall papered, paneled, etc.).
- Smoke detectors are also required in common areas, the kitchen and hallways. The Building Inspector is able to identify where they are to be located.
- Soiled or damaged floor coverings are not healthy or safe, especially for children. These should be cleaned or replaced.
- Holes, cracks or leaks in furnaces, water heaters, air conditioners, soft water units should be fixed or the units should be replaced.
- All operable windows should be fitted with screens to keep insects and pests out.

- If there are any sleeping areas in the basement, there must be two exits from the basement, one from the bedroom. If a window is to be one of the exits, is it large enough and operable?
- All entrance doors should close and lock properly.
- Obvious electrical hazards will need to be corrected. In rental units, a licensed electrician must complete this work. An Electrical Permit must be completed and an inspection done and approved before occupancy can be allowed. In some cases, owner-occupied housing may also need a licensed electrician.
- Obvious mechanical hazards will need to be corrected. In rental units, a licensed mechanical contractor must complete this work. A Mechanical Permit must be completed and an inspection done and approved before occupancy can be allowed. In some cases, owner-occupied housing may also need a licensed mechanical contractor.
- Obvious plumbing hazards or defects will need to be corrected. In rental units, a licensed plumber must complete this work. A Plumbing Permit must be completed and an inspection done and approved before occupancy can be allowed. In some cases, owner-occupied housing may also need a licensed plumbing contractor.

City of Bangor

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March 10, 2003

Ms. Kim Litt
132 Main Street
Bangor, MI 49013

Elizbieta Lis-Lewandowsk
63153 CR 681
Hartford, MI 49057

I am glad that I was able to talk with you (Ms Elizbieta Lis-Lewandowski) today regarding the lack of an occupancy permit for 132 Main Street in the City of Bangor. That structure is currently being rented illegally. You have recently changed occupancy to this address without having an occupancy inspection updated. In fact, you have allowed it to be occupied before you have had your final electrical inspection.

Please be advised that since November 2, 1998 (Ordinance 239) the City of Bangor has required occupancy inspections on residential property when there is a change of ownership or occupancy in those structures. The intent of the ordinance is to protect the quality of the housing stock in the City of Bangor and to assure that people have safe and sound places to live.

Therefore, you must come to City Hall and apply for an occupancy permit. The cost is \$35. Once the application is made and paid for, the inspection will be completed by the City's Building Inspector, Charles Moore.

I am required to advise you that the penalty for failing to obtain the necessary occupancy permit carries a fine of not more than \$500 or 90 days imprisonment or may result in having water services shut off until such an occupancy permit is completed.

Obviously, we would rather work with you to have this matter taken care of than take any legal or punishment action. Therefore, please make application for the required occupancy permit before Monday March 17, 2003. If you have not completed an occupancy permit application by this date, the water will be shut off on March 18, 2003.

Thank you for your attention to this matter.

Sincerely,

Larry Nielsen, City Manager