

**CLAYTON TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING AGENDA**  
**APRIL 22, 2025, 6:00 P.M.**  
**CLAYTON TOWNSHIP HALL**

Kevin DePottey  
Corey Potter  
Rick Caruso  
Kathleen Norris

Jon Mieczkowski  
George Sippert  
Richard Derby

**TED HENRY, ZONING ADMINISTRATOR, #810-691-5258**

**PLEDGE TO THE FLAG**

**ROLL CALL**

**APPROVE PROPOSED AGENDA**

**APPROVAL OF MINUTES: MARCH 25, 2025 Pgs. 2-3**

**COMMUNICATION:**

**REPORT OF OFFICERS AND ZONING ADMINISTRATOR:  
NEW CELL TOWER – MILLER ROAD/ST. BARTHOLOMEW**

**PUBLIC COMMENT:**

**NEW BUSINESS / DISCUSSIONS**

- 1. Rental Ordinance – put on hold temporarily Pgs. 4-10**
- 2. Capital Improvement Funds – (project list) Pg. 11**

**OLD BUSINESS / DISCUSSIONS**

**ADDITIONAL ITEMS**

**FUTURE ITEMS**

- 1. Business License**

**ADDITIONAL COMMENTS**

**ADJOURNMENT**

*page 1*

# **Clayton Township planning Commission**

## **PLANNING COMMISSION MINUTES**

**MARCH 25<sup>TH</sup>, 2025**

**Meeting opened by:** Chairman DePottey Opened meeting at 6:07 p.m.

### **Roll Call**

**Members Present:** George Sippert, Jon Mleczkowski, Rick Caruso, Keven DePottey, Kathy Norris, Corey Potter, Richard Derby

**Members Absent:** Ted Henry

**Others Present:** Ken Tucker/Township Attorney

### **Approval of proposed agenda**

**Action taken:** Motion by Rick Caruso, supported by Kevin DePottey, to approve the proposed agenda for the March 25<sup>th</sup>, 2025 Clayton Township Planning Commission meeting.

**Motion Carried**

### **Approval of minutes February 25, 2025**

**Action taken:** Motion <sup>by</sup> ~~by~~ Jon Mleczkowski supported by Corey Potter

**Communication:** Capital Improvement Fund is the responsibility of Planning Commission under Township's Policy and Procedure. CIF worksheet was given to members asking for suggestions and ideas going forward for fund allocations in line with master plan and Township needs.

*Page 2*

## **Report of Officers and Zoning Administrator:**

**Cole Creek Estates**-discussion of plans in office for 6 new houses, continuing to build.

Update on mega site?-Corey states that a water plant needs to be built first along with a railway. Might start in 2026.

Kathy asks update on house that burned- discussion is unsure if ongoing investigation or insurance issue. Concerns as it is a safety hazard

## **Public Comment**

### **New Business/Discussions**

#### **1. Rental ordinance Pgs. 4-22**

Discussion of new proposed Rental ordinance. Corrections and changes made and will continue to be discussed at future meetings and once Ted Henry returns with his input.

#### **Action Taken:**

#### **Additional Items:**

#### **Future Items:**

**Additional Comments:** n/a

#### **Adjournment:**

**Action taken:** motion by Norris, supported by Sippert, to adjourn the Planning Commission meeting @ 7:18 p.m.

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Kevin DePottey, Chairperson

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Kathy Norris, Secretary

**CHARTER TOWNSHIP OF CLAYTON  
GENESEE COUNTY, MICHIGAN**

**ORDINANCE NO. 2025-495**

**AN ORDINANCE ADDING CHAPTER 98, RESIDENTIAL RENTAL PROPERTY, OF  
TITLE IX OF THE CODE OF ORDINANCES FOR THE CHARTER TOWNSHIP OF  
CLAYTON**

**THE CHARTER TOWNSHIP OF CLAYTON ORDAINS:**

As used in this Ordinance, Chapter 98, Rental Property, of Title IX of the Code of Ordinances for the Charter Township of Clayton, shall be amended to provide as follows:

**SECTION 1**

**PURPOSE**

The purpose of this Residential Rental Property Ordinance is to provide for the registration and maintenance of all residential rental property located in the Charter Township of Clayton to eliminate blight conditions, prevent the decrease in property values, and to ensure compliance with building and property maintenance codes to protect the residents of Clayton Township pursuant to the Michigan Zoning Enabling Act, MCL 125.3301 et al., the Housing Law of Michigan, MCL 125.401 et al., and the International Property Maintenance Code.

**SECTION 2**

**DEFINITIONS**

For the purposes of this ordinance, the following definitions shall apply:

1. **Fee Schedule.** The Clayton Township Fee Schedule as adopted by the Clayton Township Board of Trustees.
2. **Residential Inspection Checklist.** An inspection list provided by the Clayton Township Building Department and/or the Clayton Township Code Enforcement Department outlining specific property maintenance code and building code compliance requirements that must be completed prior to Clayton Township issuing a residential rental unit and/or residential rental property occupancy permit.
3. **Residential Landlord.** The owner of a single or multifamily residential property that is leased or rented to third parties and is legally responsible for maintenance of the rental property.
4. **Residential Management Company.** A company retained by a landlord to manage a residential rental property and is responsible for the maintenance of the rental property.



5. **Residential Owner.** A person or entity holding legal title to a residential rental property or rental unit and/or the person or entity whose name appears on the Clayton Township tax roll.
6. **Residential Rental Property.** A building or structure containing single family or multifamily unit(s) used for residential rental purposes regardless of whether occupied by the owner or immediate family of the owner.
7. **Residential Rental Property Occupancy Permit Application.** An application form provided by Clayton Township to an owner or landlord of residential rental property requesting a Residential Rental Property Occupancy Permit.
8. **Residential Rental Property Occupancy Permit.** A permit issued by the Clayton Township Building Department and/or the Clayton Township Code Enforcement Department following the completion of a residential rental property or residential rental unit registration application with all required information.
9. **Residential Tenant.** A person who occupies a residential rental property or rental unit rented or leased from a landlord.
10. **Residential Rental Unit.** A housing unit that is leased or rented to one or more tenants for residential occupancy.
11. **Short Term Residential Rental Property.** A residential rental property or residential rental unit rented for stays of less than thirty (30) days

### SECTION 3

#### **PERMIT TO OCCUPY RESIDENTIAL RENTAL PROPERTY**

A residential rental unit or residential rental property located in the Charter Township of Clayton shall not be occupied by a tenant until the residential rental unit or residential rental property is properly registered with and the residential rental unit or residential rental property inspected by Clayton Township and a Residential Rental Property Occupancy Permit has been issued by the Clayton Township Building Department or its designee.

All rental units and/or rental properties shall comply with the Clayton Township Residential Rental Property Inspection Checklist.

A permit to occupy a rental unit or rental property shall not be granted until the residential rental unit or residential rental property complies with the Clayton Township Residential Rental Property Inspection Checklist as well as local, state, and federal statutes, as determined by the Clayton Township Building Department or its designee.

## SECTION 4

### **REGISTRATION OF ALL RESIDENTIAL RENTAL PROPERTY AND/OR RESIDENTIAL RENTAL UNIT**

The owner or landlord of a residential rental property or residential rental unit shall register the residential rental property or residential rental unit by submitting a completed Clayton Township Residential Rental Property Occupancy Application along with the applicable rental property application fee as set forth in the Clayton Township Fee Schedule to the Clayton Township Building Department or its designee.

A residential rental property and/or residential rental unit shall be registered with the Clayton Township Building Department within two (2) years of the expiration of its current Residential Rental Property Occupancy Permit.

All current or existing residential rental units and/or residential rental properties shall be registered on or before 180 days after the Clayton Township Residential Rental Property Ordinance become effective, and subject to inspection by the Clayton Township Building Department or its designee for occupancy by a tenant to continue.

The requirement to register residential rental property in the Charter Township of Clayton shall not apply to any short term residential rental property as defined herein or to hospitals, foster care homes, or any facilities that are inspected or governed by a county, state, or federal agency.

## SECTION 5

### **RESIDENTIAL RENTAL PROPERTY REGISTRATION INFORMATION**

The owner and/or landlord of a residential rental property or residential rental unit shall complete and submit a Residential Rental Property Application for Occupancy Permit and provide the following information on a Clayton Township Residential Rental Property and/or Residential Rental Unit Occupancy Application within two (2) years of the expiration of its current Rental Property Occupancy Permit:

1. Address of the rental property.
2. Date of previous Residential Rental Property Occupancy Permit issued, if application for renewal.
3. Name, address, mobile phone number and full contact information of any management company charged with maintaining the rental property or rental unit.
4. Number of rental units located on the rental property.
5. Owner/landlord full name, address, mobile phone number, business phone number, email address, and backup contact information
6. Full name, cell number, and email address of all tenants who appear on the rental lease for the residential rental property or residential rental unit.



## **SECTION 6**

### **BIANNUAL RENEW OF RENTAL UNITS/RENTAL PROPERTY OCCUPANCY PERMIT**

An application to renew a Residential Rental Property Occupancy Permit shall be submitted by a residential rental property and/or residential rental unit owner and/or landlord to the Clayton Township Building Department and the proper permit fee paid within two (2) years of the expiration of its current Residential Rental Property Occupancy Permit for any legal occupancy of the rental unit or rental property.

All residential rental properties and/or residential rental units located in the Charter Township of Clayton shall be inspected by the Clayton Township Building Department or its designee on a biannual basis prior to any occupancy.

All residential rental units or residential rental property shall be inspected by the Clayton Township Building Department, or its designee and the proper residential rental unit and/or residential rental property permit fee paid prior to the expiration of the current Residential Rental Property Occupancy Permit.

No residential rental unit and/or residential rental property shall be occupied until a Rental Property Occupancy Permit has been issued by the Clayton Township Building Department or its designee.

## **SECTION 7**

### **NEW TENANT/EXISTING TENANT CHANGEOVER INSPECTION**

The owner or landlord of a residential rental property and/or residential rental unit shall apply for and obtain a new Residential Rental Property Occupancy Permit upon a new tenant or existing tenant change over prior to the occupancy of the rental property and/or rental unit regardless of the date the last Residential Rental Property Occupancy Permit was issued.

## **SECTION 8**

### **SUSPENSION OF RESIDENTIAL RENTAL OCCUPANCY PERMIT**

A Residential Rental Property Occupancy Permit may be suspended by the Clayton Township Building Department or its designee if a residential rental property is not maintained in compliance with the Clayton Township Rental Inspection List and all applicable Clayton Township Ordinances as well as local, state, and federal laws.

Prior to suspending any Residential Rental Property Occupancy Permit, the Clayton Township Building Department and/or the Clayton Township Code Enforcement Department shall serve on the residential landlord and/or the residential property management company a violation notice, pursuant to the notice requirements set forth in Section 107 of the International Property Maintenance Code, stating the alleged violations and the time in which the landlord and/or residential property management company shall have to correct the violations.

Should a residential rental property continue to be in violation of the terms of the Residential Rental Property past the granted compliance period, a notice of suspension of the Residential Rental Property Permit shall be served on the landlord or owner of the residential rental property and/or the residential property management company and the landlord or owner and/or residential rental property management company shall be subject to all penalties set forth in the Clayton Township Municipal Civil Infraction Ordinance, including, but not limited to a fine of up to \$500.00 each day and/or an action in a court of proper jurisdiction requesting an order to remove all residential tenants.

Violations of the Residential Rental Property Occupancy Permit or a suspension of the Residential Rental Property Occupancy Permit may be appealed to the Charter Township of Clayton Board of Trustees.

## **SECTION 9**

### **TENANT RIGHTS**

The Charter Township of Clayton shall make tenants' rights information available to all residential rental tenants at the Clayton Township Hall at 2011 S. Morrish Road, Swartz Creek, Michigan 48473 and online at the Clayton Township website at claytontownship.org.

A landlord of a residential rental property shall provide a written copy of Michigan residential tenants' rights or shall notify the tenant in writing that the information is available on the Clayton Township website or at the Clayton Township Hall.

## **SECTION 10**

### **PENALTIES**

Any person or entity that violates the provisions of the Charter Township of Clayton Rental Property Ordinance, 2025-495, shall be responsible for a municipal civil infraction and subject to penalties as set forth in the Charter Township of Clayton Municipal Civil Infractions Ordinance.



## **SECTION 11**

### **SEVERABILITY**

The various parts, sections, and clauses of the Charter Township of Clayton Residential Rental Property Ordinance are hereby declared severable. If any part or sentence is declared invalid by a court of competent jurisdiction, the remainder of the Ordinance shall continue in full force and effect.

## **SECTION 12**

### **CONFLICTING LAWS**

All other provisions of any other Charter Township of Clayton Ordinance inconsistent with the provision of this Ordinance are hereby repealed. All other provisions shall be and are hereby ratified.

## **SECTION 13**

### **EFFECTIVE DATE**

This Ordinance shall be published in a newspaper of general circulation within the Township of Clayton, Genesee County Michigan, and shall become effective thirty (30) days following publication.

## **SECTION 14**

### **AVAILABILITY OF ORDINANCE**

A copy of this Ordinance may be inspected at the Township Clerk's Office at the Clayton Township Hall, 2011 S. Morrish Rd., Swartz Creek, Michigan 48473, during regular business hours and at the Clayton Township web site at [claytontownship.org](http://claytontownship.org).

### **ORDINANCE DECLARED ADOPTED.**

Dated: \_\_\_\_\_, 2025

*(Signature page to follow)*

We hereby certify that the foregoing Ordinance was adopted on Second Reading by the Charter Township of Clayton Board of Trustees on \_\_\_\_\_.

Public Hearing: \_\_\_\_\_

First Reading Approved: \_\_\_\_\_

Second Reading Approved: \_\_\_\_\_

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

**CHARTER TOWNSHIP OF CLAYTON:**

\_\_\_\_\_  
Ted Henry, Clayton Township Supervisor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dennis Miley, Clayton Township Clerk

\_\_\_\_\_  
Date

