

CITY OF BLOOMFIELD

Staff Summary

**** ACTION ITEM ****

Council Meeting of: August 20, 2020

Prepared By: Andrew Morris, City Administrator



Department: Fire

Department Head: Jeff McClure, Chief

City Administrator Approval: Andrew Morris

AGENDA TITLE: Rental Inspections

****Public hearing required if this line is checked.****

DISCUSSION: The City does not have code provisions for rental inspections. Chief McClure has stated an interest in conducting rental inspections. Based on research, he does not need to be certified to conduct rental inspections. However, the International Property Maintenance Code and Housing Code are the certification most rental inspectors seek to attain. Included in the ordinance is the rental-housing inspection form from the City of Oskaloosa, and a check off inspection list from the City of Ottumwa. In consultation with Chief McClure, I will draft a check off inspection list. You may recall from a previous discussion, the Chief requested additional compensation for this task.

RECOMMENDATION: Consider and adopt rental inspections

Source of Funds: N/A

Budgeted Item: N/A

Budget Amendment Needed: N/A

CITY OF OTTUMWA HEALTH DEPARTMENT INSPECTION REPORT

Room 203 · City Hall · 105 East Third · Ottumwa · IA 52501 (641) 683-0650

Date _____ Inspector _____ Property Address _____
 Owner _____ Owner Address _____
 Owner/Operator Signature _____ Phone No _____

Premises Identification (304.3)	OK / FAIL	Supplied Facilities (20-7-14)	OK / FAIL / NA
Acceptable Space (404.2,3,4,6,6)	OK / FAIL	Ceilings (305.3)	OK / FAIL
Yards / Sanitation (302.1)	OK / FAIL / NA	Floors (305.3)	OK / FAIL
Out Buildings / Garage (302.7)	OK / FAIL / NA	Walls (305.3)	OK / FAIL
Garbage Containers/Service (20-7-20)	OK / FAIL / NA	Paint / Interior (305.3)	OK / FAIL
Walks (302.3)	OK / FAIL / NA	Electrical System (604.3)	OK / FAIL
Driveway (302.3)	OK / FAIL / NA	Switches & Outlets (604.3)	OK / FAIL
Roof (304.7)	OK / FAIL / NA	Fuses/Breakers 604.3	OK / FAIL
Door/Locks (304.18.1)	OK / FAIL / NA	GFCI'S (20-7-13)	OK / FAIL
Porches (304.15)	OK / FAIL / NA	Extension Cords (605.4)	OK / FAIL
Gutters/Downspouts (304.7)	OK / FAIL / NA	Water Dist System (UPC504.1)	OK / FAIL
Chimney (304.11)	OK / FAIL / NA	Water Heater (UPC, 505.4) Gas / Electric	OK / FAIL
Foundations (304.5)	OK / FAIL / NA	Sewage System (UPC & 506.2)	OK / FAIL
Screens (304.14)	OK / FAIL / NA	Vent Pipes (504.1)	OK / FAIL
Storm Windows (20-7-15)	OK / FAIL / NA	Kitchen Sink (504.1, 20-7-J)	OK / FAIL
Windows (304.13)	OK / FAIL / NA	Lavatory (504.1)	OK / FAIL
Steps (304.10)	OK / FAIL / NA	Tub/Shower (504.1)	OK / FAIL
Sash Locks (304.18.2)	OK / FAIL / NA	Toilet Stool (20-5-C, 20-7-J)	OK / FAIL
Siding / Trim (304.6)	OK / FAIL / NA	Heat Dist System (IMC, 603.1, 607.1)	OK / FAIL / NA
Paint / Exterior (304.6)	OK / FAIL / NA	Ventilation Room (403.1)	OK / FAIL / NA
Railings (304.12, 307.1)	OK / FAIL / NA	Ventilation Bathroom (403.2)	OK / FAIL / NA
Cleanliness/Owner (305.1)	OK / FAIL	Exits (Egress) (702)	OK / FAIL
Cleanliness/Tenant (305.1)	OK / FAIL	Basement/Crawl Space Structural (305.2)	OK / FAIL / NA
Pest Control/Owner (309.4)	OK / FAIL	Kitchen Cabinets (20-7-14)	OK / FAIL
Pest Control/Tenant (309.3,4)	OK / FAIL	Stove /Range (20-7-11, 20-7-14)	OK / FAIL / NA
Smoke Detector Owner (704.1)	OK / FAIL	Fire Extinguishers (704.1)	OK / FAIL
Smoke Detector Tenant (20-8-J)	OK / FAIL		

Comments: _____

You will have _____ days after receipt of this notice to repair these deficiencies. Upon completion of these repairs, sign and date this form and RETURN THE YELLOW COPY to our office within the time specified KEEP THE PINK COPY for your records. You will be contacted if a reinspection is deemed necessary. The initial reinspection will be conducted at no charge. A reinspection fee will be charged for each subsequent reinspection needed for completion.

Signature _____ Date _____

You may appeal this repair order by filing a written request to the City Clerk for an appeal with the Inspection Board of Review, 105 East Third, Ottumwa, IA 52501, within thirty (30) days after receipt of this notice and order. If you have any question pertaining to this matter, you may come to room 203 at City Hall or call 683-0650.

Failure to correct the violation(s) within the time specified violation(s) within the time specified may result in issuance of a citation and/or other legal action being taken.

White - Office Yellow - Complete and mail Pink - Owner Copy

Chapter 15.60 - RENTAL HOUSING INSPECTION

15.60.010 - Title for citation.

This chapter shall be known as the "City of Oskaloosa, Iowa, Rental Housing Inspection Program," and shall be cited as such, and will be referred to herein as "this chapter."

(Ord. No. 1394, § 1, 4-10-2017, eff. 7-1-2017)

15.60.020 - Purpose of provisions.

The purpose of this chapter is to provide for the inspection of residential rental properties within the corporate limits of the City of Oskaloosa, Iowa, in order to ensure that such properties conform to minimum standards deemed necessary for the protection of the health and safety of the occupants thereof and the occupants of surrounding properties, and to inhibit the spread of urban blight.

(Ord. No. 1394, § 1, 4-10-2017, eff. 7-1-2017)

15.60.030 - Definitions.

For the purpose of this chapter, certain terms and words are defined. Words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; and the word "shall" is mandatory, the word "may" is permissive.

1. "DWELLING UNIT" One or more rooms, designed, occupied or intended for occupancy as a separate living quarter.
2. "RENTAL PROPERTY" Any structure that includes a dwelling unit that is being held out or offered for rent or is currently being let for rent and occupied by any person who is not the owner of the premises, except that the following properties shall not be regarded as rental properties under this chapter:
 - a. Dwellings owned by the local, state, or federal governments.
 - b. Hotels, as defined by Chapter 137 of the Iowa Code.
 - c. Dormitory rooms of higher education institutions.
 - d. Nursing homes, long-term care, and medical care facilities.
 - e. Church parsonages, and other similar facilities owned by religious institutions, that provide housing for their clergy or other similar staff.
3. "RENTAL UNIT" One dwelling unit within a rental property. If a common area and facilities are provided in a dwelling for the use of the occupants of units therein, such common area and facilities shall constitute a part of each rental unit for the purpose of inspection and compliance with this chapter.
4. "RENT" Any form of payment, including but not limited to cash, services, or other valuable considerations, provided as a condition of occupying a dwelling not owned by the occupant.
5. "OWNER" Person(s) listed as the deed holder as recorded at the Mahaska County Assessor's Office.
6. "OWNER'S REPRESENTATIVE" A person who is appointed by a rental property owner to provide access to the Inspector to the owner's rental property. The representative must have keys for all portions of the rental property, must be authorized to act on behalf of the owner concerning compliance with the requirements of this chapter, and must be at least 18 years of age.
7. "INSPECTOR" The person(s) designated by the City of Oskaloosa Development Services Director to conduct the inspections of rental properties and units for this program. The City of Oskaloosa may contract with an outside entity to conduct these inspection services.
8. "TENANT" Person(s) or family occupying a dwelling unit for rent. Not more than one family or four unrelated persons may occupy a dwelling unit

(Ord. No. 1394, § 1, 4-10-2017, eff. 7-1-2017; Ord. No. 1408, § 1, 7-16-2018)

15.60.040 - Registration requirement.

All rental properties and rental units within the corporate limits of the City of Oskaloosa shall be registered with the City by the owner or the owner's representative. The owner or owner's representative shall file a completed registration form (as provided by the City) with the Development Services Department within thirty days of the property becoming a rental property, and subsequently at the time the rental inspection is due. Registration shall be accompanied by a fee as established by resolution of council and in accordance with the Rental Housing Inspection Administrative Policy.

By registering rental properties and/or rental units, the property owner consents to the City of Oskaloosa inspector entering and conducting an inspection, as described in [Section 15.60.050](#). The registration process shall be conducted in accordance with the City of Oskaloosa's Rental Housing Inspection Program Administrative Policy.

(Ord. No. 1394, § 1, 4-10-2017, eff. 7-1-2017; Ord. No. 1408, § 2, 7-16-2018)

15.60.050 - Rental inspection.

Each rental property and rental unit shall be inspected by the designated inspector at a frequency stated in the Rental Housing Inspection Program Administrative Policy. The inspections will be conducted to confirm compliance with regulations set forth in Oskaloosa Municipal Code, Titles 8, [15](#), and 17. Inspections will be conducted in accordance with the City of Oskaloosa's Rental Housing Inspection Program Administrative Policy and in accordance with all state and federal laws pertaining to tenant rights and notification requirements.

(Ord. No. 1394, § 1, 4-10-2017, eff. 7-1-2017)

15.60.055 - Rental compliance certificates.

Each rental property shall obtain a Rental Compliance Certificate from the Development Services Department. Rental Compliance Certificate shall be issued in accordance with the Rental Housing Inspection Program Administrative Policy. Rental properties without a Rental Compliance Certificate shall be pursued in accordance with 15.060.080—Violations.

(Ord. No. 1408, § 3, 7-16-2018)

15.60.060 - Fees.

All fees associated with this Rental Housing Inspection program shall be established by resolution of the council.

(Ord. No. 1394, § 1, 4-10-2017, eff. 7-1-2017)

15.60.070 - Contact information.

All rental properties shall have the name and contact information of the property owner and/or the property owner's representative clearly and visibly posted for tenants.

(Ord. No. 1394, § 1, 4-10-2017, eff. 7-1-2017)

15.60.080 - Violations.

Rental properties and/or rental units that fail to comply with this chapter, shall be referred to the city building official and attorney for prosecution as a municipal infraction. Failure to comply with this chapter, including but not limited to failure to register a property, may result in the revocation of a certificate of occupancy and/or a requirement to vacate the property.

(Ord. No. 1394, § 1, 4-10-2017, eff. 7-1-2017)

15.60.090 - Appeals process.

The Building Code Board of Appeals, as defined in Oskaloosa Municipal Code, Chapter 15.04.150, serves as the appeals board for disputes regarding violations issued during a rental inspection and for interpretation of applicable codes. Appeals shall be filed in accordance with the Rental Housing Inspection Administrative Policy.