



# REVISED RENTAL ORDINANCE 2019

## CHAPTER 510

Rental Property Minimum Housing Quality Standards



Facilitated by: **Lorenzo M. Ware Sr.**  
City Planner/Code Enforcement Manager

# Topics of Discussion

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- Revised Municipal Code Chapter 510 Review
- Revised Rental Ordinance Overview
- Responsibilities of Code Enforcement
- International Property Maintenance Code (IPMC-2012) Guide to stakeholder communication and Code Enforcement Action
- Questions



# SIKESTON MUNICIPAL CODE CHAPTER 510 RECOMMENDATIONS

Revised Rental Ordinance 2019

## Chapter 510

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### **GENERALLY**

#### ***Section 510.010)***

- The **City Council** of the City of Sikeston, Missouri, has found it to be in the best interest of its citizens to preserve the quality of its housing inventory and to protect its neighborhoods from neglect and deterioration which act as a threat to health, life safety and the welfare of its people and places.

# Chapter 510

This form must be filled out legibility AND with all information completed.

CITY OF SIKESTON

## APPLICATION FOR TENANCY

Instructions: Forward this completed form with an application fee of \$15.00 to the Sikeston Department of Public Works, Code Enforcement Office, 105 East Center Street, Sikeston, MO 63801.

STREET ADDRESS OF RENTAL PROPERTY TO BE INSPECTED _____ APT. #. _____		
NAME & ADDRESS OF PROPERTY OWNER _____		
NAME OF PROPERTY MANAGER _____	PHONE NO. (____) _____	
PROPERTY MANAGER'S ADDRESS _____		
DATE OF DESIRED OCCUPANCY _____ <small>(DO NOT STATE AS SOON AS POSSIBLE, PROVIDE MONTH AND DAY)</small>		
PREFERRED CONTACT <input type="checkbox"/> OWNER <input type="checkbox"/> PROPERTY MANAGER <input type="checkbox"/> BOTH		
PREFERRED METHOD OF CONTACT <input type="checkbox"/> USPS <input type="checkbox"/> EMAIL _____ <small>(PLEASE ENTER CONTACT EMAIL ADDRESS)</small>		
HEAD-OF-HOUSEHOLD _____ PHONE NO. (____) _____		
DATE OF BIRTH ____/____/____	DRIVER'S LICENSE # _____	
THE FOLLOWING OCCUPANTS (AND NO OTHERS) WILL BE RESIDING AT SAID RENTAL PROPERTY:		
<u>NAME</u>	<u>DATE OF BIRTH</u>	<u>RELATIONSHIP TO HEAD-OF-HOUSEHOLD</u>

I CERTIFY THE ABOVE INFORMATION TO BE TRUE AND ACCURATE STATEMENTS MADE IN CONJUNCTION WITH MY REQUEST FOR RENTAL PROPERTY MAINTENANCE INSPECTION.

TENANT(S): ALL ADULT TENANTS MUST SIGN APPLICATION. IF NECESSARY USE THE BACK OF THE FORM, PLEASE PRINT YOUR NAME AND SIGNATURE.

Signed: \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_

PROPOSED LANDLORD/PROPERTY MANAGER:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

NOTE: UTILITIES WILL NOT BE PLACED IN OCCUPANTS NAME UNTIL CERTIFICATE OF OCCUPANCY IS PRESENTED TO BMU  
Form RHO-02 (Rev. 11/18 Revised)

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## DEFINITIONS

### *Section 510.020*

- Defines eight (12) terms.
  - IBC
  - IPMC
  - IRC
  - Occupant
  - Operator
  - Owner
  - Person
  - Premises
  - Property Owner
  - **Quinquennial**
  - Rental Property
  - Tenant

## COMPLIANCE STANDARDS

### *Section 510.030*

- All rental units identified for compliance herewith must conform to **Housing Quality Standards** (HQS) established by the U.S. Department of Housing and Urban Development **as well as any pertinent health and life safety issues per the IPMC, IRC, IBC, State and Federal regulations**, as from time to time amended, in effect upon adoption of this Chapter.

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## UNITS SUBJECT TO COMPLIANCE

### *Section 510.040*

- **Type I** New Construction less than 3 years
- **Type II** Units constructed and in rental service more than 3 years
- Units which are subject to contracts for deeds shall be treated as **Type II** rental units

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## INSPECTION PERSONNEL/ADMINISTRATION

### *Section 510.050*

- **A.** Inspections of rental property shall be conducted by staff of the Department of Public Works to insure compliance with Section 8 Guidelines of the Housing Quality Standards (HQS) **as well as any pertinent health and life safety issues per the IPMC, IRC, IBC, State and Federal regulations.**
- **B.** The City Manager is directed to develop appropriate forms, applications and listings in order to accommodate this Chapter, the Housing Quality Standards (HQS) **as well as any pertinent health and life safety issues per the IPMC, IRC, IBC, State and Federal regulations** herein referenced.



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## INSPECTION FEES AND PROCEDURES

### ***Section 510.060.***

*A. For purposes of this Chapter, the following designators shall mean:*

1. To accommodate the purpose of this Chapter, all property owners of rental property shall **be required to fill out and submit a *Landlord Registration Form* on or before January thirty-first (31<sup>st</sup>) of each year, with the appropriate fees for rental property(s).** The property owner shall submit the registration form to the Planning Division/Code Enforcement together with **the Landlord Registration Fee of fifty dollars (\$50.00) [25 units or less] or one hundred dollars (\$100.00) [greater than 25 units].** It shall be the responsibility of the owner to make the unit(s) available for inspection. Upon successful completion of the inspection and in keeping with the guidelines of the Housing Quality Standards as well as any pertinent health and life safety issues per the IPMC, IRC, IBC, State and Federal regulations, the owner will be issued an occupancy permit. Failure to submit a ***Landlord Registration Form*** will result in the property owner being found in violation of this Chapter and subject to a fine of not less than five hundred dollars (\$500.00).
2. In the event a unit fails to pass the quinquennial inspections or formal complaint generated inspections, in keeping with the Guidelines of the Housing Quality Standards or in keeping with the Property Maintenance Standards of the City of Sikeston as well as any pertinent health and life safety issues per the IPMC, IRC, IBC, State and Federal regulations, the owner shall be subject to penalty fines ranging from not less than one hundred dollars (\$100.00) for the first (1<sup>st</sup>) offense and an additional one hundred dollar (\$100.00) fine for each subsequent offense up to a maximum fine of five hundred dollars (\$500.00) over a twelve (12) month period.

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## INSPECTION FEES AND PROCEDURES

### *Section 510.060. (continued)*

3. The owner thereof shall have thirty (30) days within which to make minor corrections necessary to qualify the unit. Major corrections shall be deemed those violations that represent health and safety issues and which require immediate correction. Failure to remedy violation notices shall result in the filing of a complaint. Convictions on said charges will result in a minimum fine of one hundred dollars (\$100.00) for every thirty (30) days or portion thereof the violation goes un-remedied, up to a maximum fine of five hundred (\$500.00). An occupancy permit shall only be issued by a Code Enforcement Officer upon the property's compliance with the Guidelines for Housing Quality Standards **as well as any pertinent health and life safety issues per the IPMC, IRC, IBC, State and Federal regulations.**
4. Owners of all rental units, including those which are subject to agreements providing for contracts of deeds, shall, by January thirty-first (31st) of each year, submit a listing of all property, whether occupied or vacant, which discloses the address and location of each rental unit and whether it is a freestanding unit or one which is connected to other structures and the name(s) of each tenant(s) thereof. In the event the owner of the rental property fails to submit said listing to the Director of Public Works or his/her designee on or before January thirty-first (31st) of each year, said owner shall be subject to a fine of not less than five hundred dollars (\$500.00).

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### **Formal Complaint Inspections – When Applicable**

#### ***Section 510.070***

*Type I.* Rental units shall be exempt from inspections during the three (3) year exemption period set forth in Section **510.040(A)**, **unless Formal Complaints are received by the Planning Division/Code Enforcement Office of the Department of Public Works which disclose conditions that place the realty in the jurisdiction of the Planning Division/Code Enforcement Office in which event said realty shall be reclassified as Type II.**

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## **QUINQUENNIAL INSPECTIONS AND ENFORCEMENT**

### ***Section 510.080.***

#### **A. Quinquennial inspections shall be conducted as follows:**

1. *Type I.* A unit having exhausted the three (3) year exemption term shall be subject to a **quinquennial** inspection the first (1st) year it is in service.
2. *Type II.* All non-exempted rental housing units shall be inspected no less than once every sixty (60) months. *Note: twenty (20) percent of individual property owners property will be inspected on a yearly basis from a random selection of uninspected units.*
3. Owners of units which fail to successfully pass the **quinquennial** inspection shall be notified of such failure and shall have thirty (30) days within which to bring said unit to the standards required by the Guidelines of the Housing Quality Standards **as well as any pertinent health and life safety issues per the IPMC, IRC, IBC, State and Federal regulations.**
4. The time for performing work necessary to successfully pass a biennial inspection may be extended by personnel of the Planning Division/Code Enforcement Office upon cause therefore being demonstrated.
5. Failure of an owner of a unit to correct any **minor** deficiencies found therein or thereon in either a **quinquennial** inspection or a **formal complaint inspection** within thirty (30) days of notification shall result in the landlord being found in violation of this Chapter and subject to a fine of one hundred dollars (\$100.00) for every thirty (30) days or portion thereof the violation goes un-remedied, up to a maximum fine of five hundred dollars (\$500.00).
6. An occupancy permit shall only be issued by a Code Enforcement Officer upon the property's compliance with the Guidelines for Housing Quality Standards **as well as any pertinent health and life safety issues per the IPMC, IRC, IBC, State and Federal regulations.**

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## **INSPECTIONS AND ENFORCEMENT**

### ***Section 510.090.***

1. All exterior screens must be in place on each window unit and not in a state of disrepair providing the structure does not have a mechanical means of cooling the entire structure i.e. central air conditioning or window air conditioning type unit(s).
2. Exterior screens may or may not be applied to window units if there is a functioning mechanical means of cooling the entire structure i.e. central air conditioning or window air conditioning type unit(s).

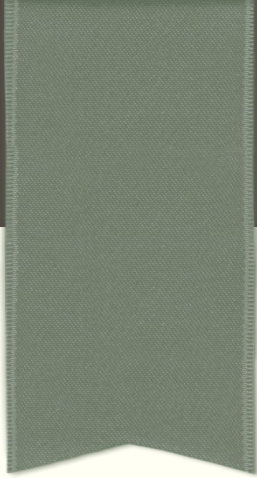
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## APPEALS BOARD

### *Section 510.100*

- A. Meetings of the **Board of Appeals** will be called upon receipt of a **completed *Board of Appeals Application Form*** or at the direction of the Chairperson.
- B. Notice of meetings of the **Board of Appeals** will be posted at City Hall with the members receiving first class mail notice of same.
- C. Meetings will be conducted as soon after filing an appeal as may be in order **given** effect to the law.



# REVISED RENTAL ORDINANCE SUMMARY

# Chapter 510

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## Summary

### Eliminated Items

- Application for Tenancy and Fees
- Biennial Inspections
- BMU Authorization

### Newly Added

- Rental Registration Fees
  - (\$50 Annual fee for 1-25 Units)
  - (\$100 Annual fee for 26 or more units)
- Quinquennial Inspections

### Enforceable Items

- Inspections
- Non-compliance of property registration
- Complaint based inspection request





# WHAT DOSE THE SIKESTON CODE ENFORCEMENT DEPARTMENT DO?

The enforcement of the City's Ordinances pertaining to property, property maintenance, zoning and buildings (business and rental).

# Code Enforcement's Responsibilities

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- Various Ordinances
- IPMC
- Derelict Vehicles
- Administrative Warrants
- Court Actions

Property



- Zone Determination
- Residential & Business Inspections
- P&Z and Adjustment Boards

Zoning



- Inspection Exterior
- Inspection Interior
- Documentation
- Administrative Warrant
- Court Actions

Rental Housing



- New (Residential - Commercial)
- Permits
- Compliance to:
  - City Ordinance
  - ICC
  - IPMC

Construction



# Enforcement Officer Actions

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- Discretion of the Officer
- Informative in Nature
- No Time Frame for Compliance

Courtesy Letter



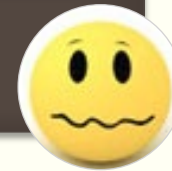
- Verbal Conversation Followed with a Formal Letter per IPMC
- Has an Established Time of Abatement (7-30 days)
- May be Issued in the Form of Door Hangers
- Supporting Documentation

Written Verbal Warning



- Formal Letter per IPMC
- Established Time of Abatement (7-90 days) and Previous Offenses
- Supporting Documentation

Written Warning




- Third Failure to Abate/Reschedule
- Citation Form with Court Date
- Administrative Warrant to Abate Issue
- IPMC

Citation



# Enforcement Forms

## Courtesy Letter



105 E. Center Street  
Sikeston, MO 63801  
573-471-2512  
www.Sikeston.org

**COURTESY REMINDER**

Date of Notice: Wednesday, April 10, 2019

Code Enforcement Officer: Choose an item.

Property in Violation:

Property Owner(s)/Occupant(s)/Manager(s):

Dear Sir/Madam:

On the above referenced date the Code Enforcement Officer observed a potential issue relating to the property referenced above. Included in this communication is some helpful information that should be beneficial for you regarding this matter.

OBSERVATION(S) (pictures may be attached for clarity):


SUGGESTED CORRECTIVE ACTION:

*Please understand this is simply a courtesy notice. It is our sincerest intent to work with our citizens to avoid penalties. Once again if you have any questions, concerns, or simply require guidance please feel free to contact Code Officer Choose an item. or the Code Enforcement Office at (573) 471-2511.*

Sincerely,

Choose an item.

## Written Warning



105 E. Center Street  
Sikeston, MO 63801  
573-471-2512  
www.Sikeston.org

**INITIAL NOTICE OF VIOLATION AND ORDER**

Date of Notice: Wednesday, April 10, 2019

Code Enforcement Officer: Choose an item.

Property in Violation:

Property Owner(s)/Occupant(s)/Manager(s):

Dear Sir/Madam:

On the above referenced date the Code Enforcement Officer inspected the property referenced above. The results of the inspection are included in the violation section below. A re-inspection will be conducted on or about **CHOOSE AN APPROPRIATE DATE** to determine compliance with this order.

Your rights to appeal and applicable penalties are identified at the end of this Notice. If you have any question regarding this notice please contact Code Officer Choose an item. or the Code Enforcement Office at (573) 471-2511. If the issue(s) are abated no further action will be necessary.

**YOU ARE ORDERED TO CORRECT THE FOLLOWING VIOLATION(S) PRIOR TO THE NEXT RE-INSPECTION DATE INCLUDED ON THIS NOTICE**

VIOLATION(S) (pictures may be attached for clarity):

CORRECTIVE ACTION NEEDED:

RIGHT TO APPEAL

You have the right to appeal the violation(s) herein described within 10 days of the date of this Notice. The appeal form can be downloaded from the City of Sikeston website at [www.sikeston.org/departments/public\\_works/code\\_enforcement/index.php](http://www.sikeston.org/departments/public_works/code_enforcement/index.php). Completed appeal forms must be submitted in writing to the Code Enforcement Department at the address referenced above or emailed to [CodeEnforcement@sikeston.org](mailto:CodeEnforcement@sikeston.org).

## Citation

CITY OF SIKESTON  
NOTICE OF VIOLATION

Date of Violation: \_\_\_\_\_ Issuing Officer: \_\_\_\_\_

Owner Offense \_\_\_\_\_ Rental/ Vacant / Commercial / Owner Occupied (circle one)  
 Tenant Offense \_\_\_\_\_ Responsible Party, Owner/Tenant/Both (circle one)

This serves as notice that the property located at \_\_\_\_\_, Parcel # \_\_\_\_\_, Sikeston, MO, is in violation of City Municipal Code:

\_\_\_\_\_ **500.670 (AKA 15.24.040) - Prohibited Maintenance:** 1. It shall be unlawful for the owner of any junked motor vehicle or motor vehicle accessories or any owner, occupant or custodian of any private property to maintain or allow to remain on said private property any junked motor vehicle or motor vehicle accessories, or to allow same to remain upon any public thoroughfare, highway, road, street, alley, avenue, boulevard or parkway. 2. It shall be unlawful for the owner, occupant or custodian of any private property to maintain or allow to remain on said private property, any currently unregistered and/or unlicensed motor vehicle, or any motor vehicle which is in a state of disrepair, provided however, that the owner of such private property may maintain on said private property one (1) motor vehicle which is not in a state of disrepair and which is not currently registered and or licensed, for a period of up to six (6) months.

Junked Motor Vehicle – (Make, Model, Color, Why Junked)

\_\_\_\_\_

\_\_\_\_\_ **500.730 (AKA 15.24.125) - Junk and Trash:** All exterior property and premises shall be maintained clean, safe, sanitary, and free from any accumulated rubbish, rubble, garbage or weeds.

Junk & Trash - (What & Where)

\_\_\_\_\_

\_\_\_\_\_ **500.740 (AKA 15.24.140) – Weeds - Declaration of Public Nuisance:** All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches (25 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees and shrubs provided, however this term shall not include cultivated flowers and gardens.

Weeds - Height: \_\_\_\_\_ Covering: \_\_\_\_\_

\_\_\_\_\_ - Other Violation: \_\_\_\_\_

\_\_\_\_\_

Property Owner _____	Previous Offenses: Date, Address, Type _____
Owner Address _____	_____
Owner: DOB & DL/SS# _____	BMU Records _____
Tenant _____	Previous Offenses: Date, Address, Type _____
Tenant: DOB & DL/SS# _____	_____

Rental Registration Date: \_\_\_\_\_ Tenancy Application Date: \_\_\_\_\_  
 Email Sent: \_\_\_\_\_ (effective 1/01/05) Phone Contact: \_\_\_\_\_ (effective 7/1/05)  
 (revised 6/13/05)

# 2019 Biennial Inspections YTD by Officer/Month with Table

- Total Rental Units 3040
- Total YTD 701
- Note: Failed inspections are given 30 – 90 days for abatement which sometimes double or triples the work load of the officers.

## 2010 Census

- 7,800 HOMES
  - 40%+ are rental property

Officer	Jan	Feb	Mar	Apr
Collin	0 [29]	29 [4]	0 [1]	20 [1]
Bruce	0 [2]	28 [0]	27 [7]	5 [26]
Andy	0 [23]	29 [35]	36 [47]	14 [31]
Martin	0 [28]	25 [48]	41 [67]	17 [30]
Amy	0	27 [0]	24	0

Note: Units in [ ] are in addition to Biennial Inspections



# IPMC GUIDE TO STAKEHOLDER COMMUNICATIONS

The enforcement of the City's Ordinances pertaining to property, property maintenance, zoning and building (business and rental).

# IPMC 6 Steps of Communication

## IPMC Required Information

[A] 107.2 Forms – Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

## Notice of Violation Letter

**City of Sikeston Missouri**  
105 E. Center Street  
Sikeston, MO 63801  
573-471-2512  
www.Sikeston.org

**INITIAL NOTICE OF VIOLATION AND ORDER**

Date of Notice: Wednesday, April 10, 2019

Code Enforcement Officer: Choose an item.

Property in Violation

Property Owner(s)/Occupant(s)/Manager(s):

Dear Sir/Madam:

On the above referenced date the Code Enforcement Officer inspected the property referenced above. The results of the inspection are included in the violation section below. A re-inspection will be conducted on or about **CHOOSE AN APPROPRIATE DATE** to determine compliance with this order.

Your rights to appeal and applicable penalties are identified at the end of this Notice. If you have any question regarding this notice please contact Code Officer Choose an item. or the Code Enforcement Office at (573) 471-2511. If the issue(s) are abated no further action will be necessary.

**YOU ARE ORDERED TO CORRECT THE FOLLOWING VIOLATION(S) PRIOR TO THE NEXT RE-INSPECTION DATE INCLUDED ON THIS NOTICE**

VIOLATION(S) [pictures may be attached for clarity]:

CORRECTIVE ACTION NEEDED:

**RIGHT TO APPEAL**

You have the right to appeal the violation(s) herein described within 10 days of the date of this Notice. The appeal form can be downloaded from the City of Sikeston website at [www.sikeston.org/departments/public\\_works/code\\_enforcement/index.php](http://www.sikeston.org/departments/public_works/code_enforcement/index.php). Completed appeal forms must be submitted in writing to the Code Enforcement Department at the address referenced above or emailed to [CodeEnforcement@sikeston.org](mailto:CodeEnforcement@sikeston.org).

Note that the appeal process will not result in a determination as to guilt or an assessment of any particular penalties. An appeal will result only in a determination as to whether the Notice of Violation was correctly issued by the Code Enforcement Department. Violations based on the Sikeston Municipal Code and the 2012 IPMC. If you have any questions about the appeal process call (573) 471-2511.

**PENALTIES AND FEES**

Fines shall be imposed from the date of this notice and can be assessed in the amount of \$1 to \$500 per violation each and every day the violation remains uncorrected, if the City files legal action. A third failed inspection/extension for a particular property will result in the City taking the matter to Court in order to address the Code violation(s) described above.

Additionally, your failure to correct any of the violations described above may result in the revocation or suspension of certain licenses and permits. Your failure to correct any of the violations described above may also result in the City filing a legal action against you to obtain compliance, including but not limited to an injunction, lien, or other equitable relief and the imposition of fees and/or fines (if applicable).

**It is our sincerest intent to work with our citizens to avoid penalties. Once again if you have any questions, concerns, or simply require guidance please feel free to contact Code Officer Choose an item. or the Code Enforcement Office at (573) 471-2511.**

Sincerely,

Choose an item.

Code Enforcement Officer  
City of Sikeston



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THANK YOU FOR YOU TIME  
QUESTIONS?

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