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

- Revised Municipal Code Chapter 510 Review
- Revised Rental Ordinance Overview
- Responsibilities of Code Enforcement
- Questions
SIKESTON MUNICIPAL CODE
CHAPTER 510 RECOMMENDATIONS

Revised Rental Ordinance 2019
Chapter 510

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

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.
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
Chapter 510

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.
Chapter 510

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 (31st) 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 (1st) 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.
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).
Chapter 510

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.
Chapter 510

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.
Chapter 510

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).
Chapter 510

**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

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

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

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

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

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

Properties
Zoning
Rental Housing
Construction
Enforcement Officer Actions

- **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**

**COURTESY REMINDER**

Date of Notice: Wednesday, April 20, 2028

Code Enforcement Officer: Choose an Item

Property Violation: Choose an Item

Property Owner/Documented Parent/Manager:

Dear Sir/Madam,

Due to the referenced date the Code Enforcement Office 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 notice.

**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**

**INITIAL NOTICE OF VIOLATION AND ORDER**

Date of Notice: Wednesday, April 20, 2028

Code Enforcement Officer: Choose an Item

Property Violation: Choose an Item

Property Owner/Documented Parent/Manager:

Dear Sir/Madam,

Due to the referenced date the Code Enforcement Office observed the property referenced above. The results of this inspection are recorded in the violation section below. An 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 specified at the end of this notice. If you have any questions regarding this notice please contact Code Officer Choose an Item or the Code Enforcement Office at (573) 471-2511. If the property is not corrected within 30 days it will be re-inspected.

**YOU ARE ORDERED TO CORRECT THE FOLLOWING VIOLATIONS PRIOR TO THE NEXT RE-INSPECTION DATE INCLUDED ON THIS NOTICE**

**CORRECTIVE ACTION ORDER**

**RIGHT TO APPEAL**

You have the right to appeal the violations referenced within 30 days of the date of this notice. The appeal form can be downloaded from the City of Sikeston website at [www.cityofsikeston.com/permissions/permitapplications](http://www.cityofsikeston.com/permissions/permitapplications). Completed appeal forms must be submitted to the Code Enforcement Office at the address referenced above or emailed to CodeEnforcement@Sikeston.org.

**Citation**

**FINAL NOTICE OF VIOLATION**

Date of Citation: Wednesday, April 20, 2028

City of Sikeston

120 E. Center Street
Sikeston, MO 63801

573-471-2511

www.CityofSikeston.org

This serves as notice that the property located at

Choose an Item, MO, in violation of City Municipal Code.

The property is located as follows:

违法行为

Violation:

Enforcement Code:

Penalty:

Due Date:

If the property is not corrected within 30 days it will be re-inspected.

**Appeal**

You have the right to appeal the violation(s) referenced within 30 days of the date of this notice. The appeal form can be downloaded from the City of Sikeston website at

[www.cityofsikeston.com/permissions/permitapplications](http://www.cityofsikeston.com/permissions/permitapplications). Completed appeal forms must be submitted to the Code Enforcement Office at the address referenced above or emailed to CodeEnforcement@Sikeston.org.
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

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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.
THANK YOU FOR YOUR TIME QUESTIONS?