

**CITY COUNCIL
COMMUNICATION:**

03-174

AGENDA:

APRIL 7, 2003

SUBJECT:

AMENDMENT TO
NEIGHBORHOOD
INSPECTION
RENTAL CODE AND
RESIDENTIAL
PUBLIC NUISANCE
CODE

TYPE:

RESOLUTION
ORDINANCE
RECEIVE/FILE

SUBMITTED BY:

JIM GRANT
COMMUNITY
DEVELOPMENT
DIRECTOR

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

SYNOPSIS —

On November 18, 2002, Council adopted a change in the fees for rental inspections and increased the term of the rental certificate. On March 24, 2003, Council passed the first reading of the balance of the code and the alternative for re-inspection fees. Inadvertently omitted from the code in the alternative proposal paragraph 26-474 (3) were the words, "At the inspectors discretion . . ." Those words have been reinserted.

FISCAL IMPACT —

None.

RECOMMENDATION —

Approval.

BACKGROUND —

During the Council meeting of March 24, 2002 the Council passed the first reading of the Neighborhood Inspection Rental Code and Residential Public Nuisance Code with the alternative proposal permitting landlords with two or fewer violations per unit, cumulative, on the current inspections and two or fewer violations per unit, cumulative on the past two inspections to certify in writing to the Neighborhood Inspections Division that the violations had been corrected and therefore avoid a re-inspection fee.

During the preparation of the code and in all the meetings with the landlords the wording "At the inspectors discretion" was included in the wording of paragraph 26-474 (3). That wording was inadvertently omitted from the code and from the blue letter at the time of the first reading. The purpose for permitting this discretion is in cases where there are significant health and safety issues or a history of unscrupulous business practices.

This wording was discussed in the meetings with the representatives of the landlord associations and they concurred.

All decisions of the inspector can be appealed to the Housing

	Appeals Board.
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