

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date: August 29, 2011
	Agenda Item No. 51 Roll Call No. <u>11-1480</u> Communication No. <u>11-549</u> Submitted by: Phillip Delafield, Community Development Director

AGENDA HEADING:

Approval of revisions to Chapter 60 of the Rental Housing Code.

SYNOPSIS:

Recommend approval of revisions to Chapter 60 of the Rental Housing Code.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

The following changes to the Rental Code have been over a year in the making and include a large number of alterations. Many of the changes are language issues, problems with the wording of the Code that have led to misunderstandings by the public, or court interpretations that were not anticipated. A second type of change is intended to make the Code current and require fewer changes in the future. A third type of clerical change is to update the Code citations. Other changes are substantial and indicate changes in philosophy or best practices in the industry:

- Sec. 60-6 the definitions of “nuclear family” and “townhome” have been added.
- Sec. 60-55 a research fee is charged for not properly making application with the Neighborhood Inspections Division thirty days prior to initially occupying a rental property.
- Sec. 60-120 (1) No more than two layers of shingles are allowed on a roof.
- Sec. 60-124 (2) adds the requirement of at least one habitable room with a minimum of 120 square feet to the habitable space requirements.
- Sec. 60-125 (b) adds bathrooms and toilet rooms to the requirement of maintaining a temperature of 68 degrees when the exterior temperature is 60 degrees or lower.
- Sec. 60-126 (5) all plumbing repairs and/or replacement of plumbing components must be in accordance with the Uniform Plumbing Code.
- Sec. 60-129 reflects a major rewrite of this section of the rental code and brings the rental code into compliance with the National Electrical Code and the Permit and Development Division.

- Sec. 60-132 requires that all repairs or replacement of fire escapes, fire separations or new construction be done under the International Building Code or the International Fire Code, as adopted by the City. In doing so, these changes also bring the Rental Code into agreement with the Permit and Development Division. A significant change is that a second means of egress is no longer automatically required from a second floor apartment, and will be governed by the Building Code.
- Sec. 60-133 this change includes the interior of windows and all friction surfaces, which means any interior or exterior surface that is subject to abrasion or friction, including but not limited to certain window, door and floor surfaces to have all lead paint removed.

With these changes, all lead removal is required to be done in accordance with state and federal requirements. Inspectors will have lead removal requirements available for landlords and will include that information with the violation letter. Neighborhood Inspectors shall make Childhood Blood Lead Test Referral Cards available to the parents of children residing in dwellings that have been cited for lead paint violations.

PREVIOUS COUNCIL ACTION(S):

Date: April 26, 2010

Roll Call Number: 10-631

Action: [Amending](#) Chapter 60 of the Municipal Code regarding the Housing Code. ([Council Communication No. 10-204](#)) **Moved by Hensley that this ordinance be considered and given first vote for passage. Motion Carried 7-0.**

Date: November 10, 2008

Roll Call Number: 08-1980

Action: [Amending](#) Chapter 60 of the Municipal Code regarding Neighborhood Inspection Rental Code and collection of fees, fines, penalties, costs and interest to allow collection or assessments against the property. **Moved by Mahaffey that this ordinance do now pass, refer to the City Manager to review the City's fines and fees for rental certificates, [#14,810](#). Motion Carried 5-2.**

BOARD/COMMISSION ACTION(S):

Board: Housing Appeals Board

Date: July 13, 2011

Action: Unanimous approval of revisions to Chapter 60 of the Rental Housing Code.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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