


COUNCIL COMMUNICATION

 CITY OF DES MOINES OFFICE OF THE CITY MANAGER	Number:	24-387	Meeting:	October 7, 2024
	Agenda Item:	55	Roll Call:	24-1397
	Submitted by:	Chris Johansen, Neighborhood Services Department Director		

AGENDA HEADING:

Repeal and replace Chapter 60 of the Municipal Code relating to rental property maintenance and blighted property.

SYNOPSIS:

Chapter 60 is the portion of the City's Code that regulates how rental properties are inspected and licensed and how blighted property enforcement is managed. Staff presented a high-level overview of the changes to Council at a work session on January 8, 2024, and gathered feedback from the Council on changes necessary to improve or maintain level of service for both occupants and property owners in rental properties. Since the work session, staff has worked to eliminate inconsistencies in the code, bring it in line with current standards, and clarify or streamline processes.

FISCAL IMPACT: NONE

ADDITIONAL INFORMATION:

- Chapter 60 was last updated in December of 2022.
- These changes aim to clarify code standards for customers and to more succinctly organize the provisions that are enforced by the Neighborhood Inspections Division.
- Some of the larger changes to this code include:
 - Add clarifying language to the scope and applicability of the Chapter.
 - Add and clarify defined terms in the code.
 - Add the ability for staff to reject an application for a rental license.
 - Clarification on how vacant units are inspected in a multi-unit structure.
 - Clarify that the Division can pursue civil penalties for noncompliance.
 - Codify a rental complaint process and requirement for rental property owners to provide notice of inspections to occupants.
 - Add language that explicitly allows for revocation of a rental business license.

- Change the Housing Appeals Board duties to be in line with other Boards and Commissions – namely that the Board shall hear appeals filed by property owners and not determine enforcement outcomes.
- Consolidate maintenance items that are generally applicable in several situations into one (1) subdivision.
- Add language that disallows for dead, diseased, dying, or otherwise hazardous trees on rental properties.
- Add a requirement for building address and unit identification.
- Add a requirement that lead water service lines for rental properties shall be replaced no later than July 1, 2034.
- Amend the section that requires mechanical system inspections every three (3) years to require it upon request by the Administrator.
- Clarify the required locations for carbon monoxide alarms.
- The proposed changes would take effect in December of 2024 to allow for reconfiguration of our Licensing and Inspection software, to train staff, and to notify property owners.
- The proposed action is to repeal Chapter 60 as it is currently written and to replace it with the proposed action. Staff is recommending this action instead of a strict amendment because of the extensive reconfiguration of many of the provisions.

PREVIOUS COUNCIL ACTION(S):

Date: December 12, 2022

Roll Call Number: [22-1956](#)

Action: [Amending](#) Chapter 60 of the Municipal Code relating to the Housing Code. ([Council Communication No. 22-566](#)) Moved by Voss that this ordinance be considered and given first vote for passage. Second by Westergaard. Motion Carried 7-0.

Date: June 13, 2022

Roll Call Number: [22-0959](#)

Action: [Amending](#) Chapter 60 of the Municipal Code relating to carbon monoxide alarms. ([Council Communication No. 22-263](#)) Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss. Motion Carried 6-1. Absent: Sheumaker.

Date: June 13, 2022

Roll Call Number: [22-0957](#)

Action: [Amending](#) Chapter 60 of the Municipal Code relating to the separation of shared forced air heating sources and testing of heating sources in rental units. ([Council Communication No. 22-264](#))

Moved by Gatto that this ordinance be considered and given first vote for passage. Second by Voss.
Motion Carried 6-1. Absent: Sheumaker.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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