

Date..... October 13, 2008

RESOLUTION APPROVING AMENDMENTS TO THE
SCHEDULE OF FEES AND SCHEDULE OF ADMINISTRATIVE PENALTIES
FOR THE NEIGHBORHOOD INSPECTION RENTAL CODE

WHEREAS, the Neighborhood Inspection Rental Code codified in Article 1 of Chapter 60 Housing, in the Des Moines City Code, provides for the collection of fees and penalties in the amounts set in the Schedule of Fees and Schedule of Administrative Penalties adopted by the City Council by resolution; and,

WHEREAS, there is pending before the City Council a proposal to amend the Neighborhood Inspection Rental Code to provide for the collection of an appeal fee, to be refunded if the appeal is successful, and the collection of penalties for each cited violation and for the late payment of fees, fines, penalties and costs; and,

WHEREAS, the City Manager recommends that the Schedule of Fees and Schedule of Administrative Penalties applicable to the Neighborhood Inspection Rental Code be amended as set forth in the accompanying schedules; NOW THEREFORE,

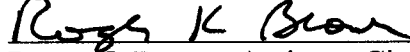
BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

The adopted Schedule of Fees and Schedule of Administrative Penalties for the City of Des Moines are hereby amended by amendment of the fees and penalties imposed pursuant to the Neighborhood Inspection Rental Code, to be as set forth in the accompanying schedules, effective upon the passage and publication of the pending ordinance amending such code.

(Council Communication No. 08- **591**)

MOVED by _____ to adopt.

FORM APPROVED:



Roger K. Brown, Assistant City Attorney

Attachments:

Schedule of Fees

Schedule of Administrative Penalties

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

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Schedule of Fees

Neighborhood Inspection Rental Code	Description Of Service/Permit	Fee	Effective Date
60-54	Inspection and Reinspection Fees	Amount	
60-54(a)	Dwelling units and accessory structures: Single Family: Renewal Single Family: Initial Two-Family (both units): Renewal Two-Family (both dwellings): Initial Multiple dwelling (first 3 dwellings and common areas): Renewal and Initial For each additional unit after the third unit: Reinspections: First unit For each additional unit Rooming and boarding houses: For the first unit and common areas: For each additional unit: Reinspections: First unit For each additional unit	\$ 85.00 36 mo \$120.00 36 mo \$108.00 36 mo \$142.00 36 mo \$126.50 24 mo \$ 18.50 20 mo \$ 53.00 \$ 15.00 \$108.00 24 mo \$ 7.50 24 mo \$ 53.00 \$ 5.00 \$65.00	4/23/07
60-54(d)	Registration fee for newly constructed or renovated rental	\$65.00	4/21/03

	Description Of Service/Permit	Fee	Effective Date
	structures receiving a Certificate of Occupancy		
60-54(e)	Inspections of structures under legal enforcement	\$100.00 / per inspection	4/23/07
60-102	Appeals		
60-102(a)(2)	Filing fee - objection to a cited violation (subject to potential refund)	\$150.00	4/21/03
60-102(a)(3)	Application for a variance under the Neighborhood Inspection Rental Code	\$60.00	4/21/03
60-102(a)(4)	If decision of Neighborhood Inspection Division sustained on referral to Board for owner's failure to comply with an inspection notice	\$500.00	4/23/07
60-102(a)(5)	Administrative fee – if structure referred to the Board is brought into compliance prior to the Board meeting on the same.	\$200.00	4/23/07
60-102(b)	Appeal of amount due for fees, fines, penalties and costs (subject to potential refund)	\$30.00	___/___/08
Real Estate Installment Sales Inspection			
60-202(3)	Real estate installment sales inspection filing fee	\$75.00	4/23/07

*Housing Fees adopted by Roll Call No. 03-318 on January 10, 2003.
Amended by Roll Call No. 03-910, dated April 21, 2003
Amended by Roll Call No. 07-780, dated April 23, 2007
Amended by Roll Call No. 08-____, dated _____, 2008*

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Schedule of Administrative Penalties

	Description Of Service/Permit	Fee	Effective Date
Neighborhood Inspection Rental Code			
60-85	Penalties for failure to correct violations		
60-85(1)	Failure to timely schedule re-inspection after notice of violation	\$5.00 per day	4/23/07
60-85(2)	Failure to timely correct violation within the time designated in the notice of violation, unless granted an extension of time.	\$5.00	4/23/07
60-88	Collection of fees, fines, penalties and costs		
60-88(c)	Late payment penalty (limited by I.C. 364.17)	\$25.00	/ /08
60-104	Maximum penalties to be imposed by the Board		
60-104(a)	Maximum daily penalty for each cited violation until the violation is remedied.	\$5.00 per day	/ /08
	Maximum total penalty for all cited violations within a single building.	\$5,000.00	

*Housing Penalties adopted by Roll Call No. 03-910, dated April 21, 2003
Amended by Roll Call No. 07-780, dated April 23, 2007
Amended by Roll Call No. 08-____, dated _____, 2008*

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