

ORDINANCE NO. 20-05

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
KNOXVILLE, IOWA, BY ADDING A NEW CHAPTER REGARDING
RENTAL HOUSING INSPECTION PROGRAM

BE IT ENACTED by the City Council of the City of Knoxville, Iowa:

SECTION 1. The Code of Ordinances of the City of Knoxville, Iowa is hereby amended by adding a new Chapter 10 in Title 8, entitled Rental Housing Inspection Program, which is hereby adopted to read as follows:

CHAPTER 10

RENTAL HOUSING INSPECTION PROGRAM

SECTION:

- 8-10-1: Title for Citation
- 8-10-2: Purpose of Provisions
- 8-10-3: Definitions
- 8-10-4: Registration Requirement
- 8-10-5: Rental Inspection
- 8-10-6: Rental Compliance Certificates
- 8-10-7: Fees
- 8-10-8: Contact Information
- 8-10-9: Violations
- 8-10-10: Appeals Process

8-10-1: **Title for Citation:** This chapter shall be known as the "City of Knoxville, Iowa, Rental Housing Inspection Program," and shall be cited as such, and will be referred to herein as "this chapter."

8-10-2: **Purpose of Provisions:** The purpose of this chapter is to provide for the inspection of residential rental properties within the corporate limits of the City of Knoxville, Iowa, in order to ensure that such properties conform to minimum standards deemed necessary for the protection of the health and safety of the occupants thereof and the occupants of surrounding properties, and to inhibit the spread of urban blight.

8-10-3: **Definitions:** For the purpose of this chapter, certain terms and words are defined. Words used in the present tense shall include the future; the singular shall include the plural, and the plural the singular; and the word "shall" is mandatory, the word "may" is permissive.

1. "DWELLING UNIT" One or more rooms, designed, occupied or intended for occupancy as a separate living quarter.

2. "RENTAL PROPERTY" Any structure that includes a dwelling unit that is being held out or offered for rent or is currently being let for rent and occupied by any person who is not the owner of the premises, except that the following properties shall not be regarded as rental properties under this chapter:

- a. Dwellings owned by the local, state, or federal governments.
- b. Hotels, as defined by Chapter 137 of the Iowa Code.
- c. Dormitory rooms of higher education institutions.
- d. Nursing homes, long-term care, and medical care facilities.
- e. Church parsonages, and other similar facilities owned by religious institutions, that provide housing for their clergy or other similar staff.

3. "RENTAL UNIT" One dwelling unit within a rental property. If a common area and facilities are provided in a dwelling for the use of the occupants of units therein, such common area and facilities shall constitute a part of each rental unit for the purpose of inspection and compliance with this chapter.

4. "RENT" Any form of payment, including but not limited to cash, services, or other valuable considerations, provided as a condition of occupying a dwelling not owned by the occupant.

5. "OWNER" Person(s) listed as the deed holder as recorded at the Marion County Assessor's Office.

6. "OWNER'S REPRESENTATIVE" A person who is appointed by a rental property owner to provide access to the Inspector to the owner's rental property. The representative must have keys for all portions of the rental property, must be authorized to act on behalf of the owner concerning compliance with the requirements of this chapter, and must be at least 18 years of age.

7. "INSPECTOR" The person(s) designated by the City of Knoxville to conduct the inspections of rental properties and units for this program. The City of Knoxville may contract with an outside entity to conduct these inspection services.

8. "TENANT" Person(s) or family occupying a dwelling unit for rent. Not more than one family or four unrelated persons may occupy a dwelling unit

8-10-4: **Registration Requirement:** All rental properties and rental units within the corporate limits of the City of Knoxville shall be registered with the City by the owner or the owner's representative. The owner or owner's representative shall file a completed registration form (as provided by the City) with the Planning & Zoning Department within thirty days of the property becoming a rental property, and subsequently at the time the rental inspection is due. Registration shall be accompanied by a fee as established by resolution of council and in accordance with the Rental Housing Inspection Administrative Policy.

By registering rental properties and/or rental units, the property owner consents to the City of Knoxville inspector entering and conducting an inspection, as described in 8-10-5. The registration process shall be conducted in accordance with the City of Knoxville's Rental Housing Inspection Program Administrative Policy.

8-10-5: **Rental Inspection:** Each rental property and rental unit shall be inspected by the designated inspector at a frequency stated in the Rental Housing Inspection Program Administrative Policy. The inspections will be conducted to confirm compliance with regulations set forth in Knoxville Municipal Code, Titles 4, 8, and 9. Inspections will be conducted in accordance with the City of Knoxville's Rental Housing Inspection Program Administrative Policy and in accordance with all state and federal laws pertaining to tenant rights and notification requirements.

8-10-6: **Rental Compliance Certificates:** Each rental property shall obtain a Rental Compliance Certificate from the Planning & Zoning Department. Rental Compliance Certificate shall be issued in accordance with the Rental Housing Inspection Program Administrative Policy. Rental properties without a Rental Compliance Certificate shall be pursued in accordance with 8-10-9 – Violations.

8-10-7: **Fees:** All fees associated with this Rental Housing Inspection program shall be established by resolution of the council.

8-10-8: **Contact Information:** All rental properties shall have the name and contact information of the property owner and/or the property owner's representative clearly and visibly posted for tenants.

8-10-9: **Violations:** Rental properties and/or rental units that fail to comply with this chapter, shall be referred to the city building official and attorney for prosecution as a municipal infraction. Failure to comply with this chapter, including but not limited to failure to register a property, may result in the revocation of a certificate of occupancy and/or a requirement to vacate the property.

8-10-10: **Appeals Process**

SECTION 2. REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudicated invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This Ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED by the City Council this 6th day of July, 2020, and APPROVED this 6th day of July, 2020.

ATTEST:

Brian J. Hatch, MAYOR

Tricia Kincaid, CITY CLERK