

## CHAPTER 510: RENTAL PROPERTY MINIMUM HOUSING QUALITY STANDARDS

### SECTION 510.010: GENERALLY

The City Council of the City of Sikeston, Missouri, has found it to be in the best interest of its citizens to preserve the quality of its housing inventory and to protect its neighborhoods from neglect and deterioration which act as a threat to health, safety and the welfare of its people and places. (R.O. 2009 §15.30.05; Ord. No. 5093, 4-96)

### SECTION 510.020: DEFINITIONS

As used in this Chapter, the following terms shall have these prescribed meanings:

*OCCUPANT*: Any person living or sleeping in a building or having possession of a space within a building.

*OPERATOR*: Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

*OWNER*: See "PROPERTY OWNER".

*PERSON*: An individual, corporation, partnership or any other group acting as a unit.

*PREMISES*: A lot, plot or parcel of land including any structures thereon.

*PROPERTY OWNER*: Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, County or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

*RENTAL PROPERTY*: Any premises that is not occupied by the owner including those premises that are subject to agreements providing for contracts for deeds.

*TENANT*: A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit. (R.O. 2009 §15.30.07; Ord. No. 5517 §II, 11-4-02)

### SECTION 510.030: COMPLIANCE STANDARDS

All rental units identified for compliance herewith must conform to Housing Quality Standards (HQS) established by the U.S. Department of Housing and Urban Development as from time to time amended, in effect upon adoption of this Chapter. (R.O. 2009 §15.30.10; Ord. No. 5093 §II, 4-96)

### SECTION 510.040: UNITS SUBJECT TO COMPLIANCE

A. *Type I*. Newly constructed units shall be those rental units constructed less than three (3) years.

- B. *Type II*. Rental units shall be those rental units constructed and in rental service more than three (3) years.
- C. Units which are subject to contracts for deeds shall be treated as Type II rental units. (R.O. 2009 §15.30.20; Ord. No. 5093 §VI, 4-96)

#### **SECTION 510.050: INSPECTION PERSONNEL/ADMINISTRATION**

- A. Inspections of rental property shall be conducted by staff of the Department of Public Works to insure compliance with Section 8 Guidelines of the Housing Quality Standards (HQS).
- B. The City Manager is directed to develop appropriate forms, applications and listings in order to accommodate this Chapter and the Housing Quality Standards (HQS) herein referenced. (R.O. 2009 §15.30.30; Ord. No. 5093 §§IV—V, 4-96)

#### **SECTION 510.060: INSPECTION FEES AND PROCEDURES**

For purposes of this Chapter, the following designators shall mean:

1. To accommodate the purposes of this Chapter, all property owners of rental property shall require new tenants of the property to fill out an application for occupation of the property. The property owner shall submit said application to the Planning Division/Code Enforcement Office together with an occupancy permit inspection fee of fifteen dollars (\$15.00). Collection of said fee is suspended for a period of two (2) years from the date of program implementation; fee shall be effective December 1, 2002. It shall be the responsibility of the owner to make the unit available for inspection. Upon successful completion of inspection, in keeping with the guidelines of the Housing Quality Standards, the Board of Municipal Utilities shall be advised of the issuance of an occupancy permit. Failure to report a change of tenant or occupancy will result in the property owner being found in violation of this Chapter and subject to a fine of not less than one hundred dollars (\$100.00) for the first (1st) offense and an additional one hundred dollar (\$100.00) fine for each subsequent offense up to a maximum fine of five hundred dollars (\$500.00).
2. In the event a unit fails to pass the drive-by or biennial inspection in keeping with the Guidelines of the Housing Quality Standards or in keeping with the Property Maintenance Standards of the City of Sikeston, the unit shall be subject to a full interior inspection.
3. The owner thereof shall have thirty (30) days within which to make minor corrections necessary to qualify the unit. Major corrections shall be deemed those violations that represent health and safety issues and which require immediate correction. Failure to remedy violation notices shall result in the filing of a complaint. Convictions on said charges will result in a minimum fine of one hundred dollars (\$100.00) for every thirty (30) days or portion thereof the violation goes unremedied, up to a maximum fine of five hundred (\$500.00). An occupancy permit shall only be issued by a Code Enforcement Officer upon the property's compliance with the Guidelines for Housing Quality Standards.
4. Owners of all rental units, including those which are subject to agreements providing for contracts of deeds, shall, by January thirty-first (31st) of each year, submit a listing of all

property, whether occupied or vacant, which discloses the address and location of each rental unit and whether it is a freestanding unit or one which is connected to other structures and the name(s) of each tenant(s) thereof. In the event the owner of the rental property fails to submit said listing to the Director of Public Works or his/her designee on or before January thirty-first (31st) of each year, said owner shall be subject to a fine of not less than five hundred dollars (\$500.00). Owners shall register all individual tenants with the Director of Public Works or his/her designee prior to said tenant's occupancy. In the event the owner fails to register tenants prior to occupancy, said owner shall be subject to a fine of not less than one hundred dollars (\$100.00) for the first (1st) offense and an additional one hundred dollar (\$100.00) fine for each subsequent offense up to a maximum fine of five hundred dollars (\$500.00). (R.O. 2009 §15.30.40; Ord. No. 5349 §II, 10-7-00; Ord. No. 5517 §II, 11-4-02; Ord. No. 5894 §II, 10-29-12)

#### **SECTION 510.070: DRIVE-BY INSPECTIONS—WHEN APPLICABLE**

*Type I.* Rental units shall be exempt from inspections during the three (3) year exemption period set forth in Section 510.040(A), unless formal complaints are received by the Planning Division/Code Enforcement Office of the Department of Public Works which disclose conditions which place the realty in the jurisdiction of the Planning Division/Code Enforcement Office in which event said realty shall be reclassified as Type II. (R.O. 2009 §15.30.50; Ord. No. 5517 §II, 11-4-02)

#### **SECTION 510.080: BIENNIAL INSPECTIONS AND ENFORCEMENT**

Biennial inspections shall be conducted as follows:

1. *Type I.* A unit having exhausted the three (3) year exemption term shall be subject to a biennial inspection the first (1st) year it is in service.
2. *Type II.* All non-exempted rental housing units shall be inspected no less than once every twenty-four (24) months.
3. Owners of units which fail to successfully pass the biennial inspection shall be notified of such failure and shall have thirty (30) days within which to bring said unit to the standards required by the Guidelines of the Housing Quality Standards.
4. The time for performing work necessary to successfully pass a biennial inspection may be extended by personnel of the Planning Division/Code Enforcement Office upon cause therefore being demonstrated.
5. Failure of an owner of a unit to correct any deficiencies found therein or thereon in either a biennial examination or a drive-by inspection within thirty (30) days of notification shall result in the landlord being found in violation of this Chapter and subject to a fine of one hundred dollars (\$100.00) for every thirty (30) days or portion thereof the violation goes unremedied, up to a maximum fine of five hundred dollars (\$500.00).
6. An occupancy permit shall only be issued by a Code Enforcement Officer upon the property's compliance with the Guidelines for Housing Quality Standards. (R.O. 2009 §15.30.60; Ord. No. 5093 §X, 4-96; Ord. No. 5349 §IV, 10-7-00)

**SECTION 510.090: INSPECTIONS AND ENFORCEMENT**

Type I and II rental housing units may not have public utility connections until they have successfully passed inspection by the Planning Division/Code Enforcement Office. (R.O. 2009 §15.30.70; Ord. No. 5349 §V, 10-7-00)

**SECTION 510.100: APPEALS BOARD**

- A. Meetings of the Rental Ordinance Review Board will be called upon receipt of an appeal or at the direction of the Chairperson.
- B. Notice of meetings of the Appeals Board will be posted at City Hall with the members receiving first class mail notice of same.
- C. Meetings will be conducted as soon after filing an appeal as may be in order give effect to the law. (R.O. 2009 §15.30.80; Ord. No. 5159 §III, 8-5-97)