

CHAPTER 156

RENTAL HOUSING CODE

156.01 Adoption of Code	156.07 Inspection Report
156.02 Real Estate Contract	156.08 Property Not in Compliance
156.03 Enforcement Officer	156.09 Failure to Inspect
156.04 Registration of Rental Real Estate	156.10 Rental Housing Permit
156.05 Inspections	156.11 Rental Permit Transferrable
156.06 Inspection Requirements	156.12 Violations

156.01 ADOPTION OF CODE. The provisions of the Clarion Rental Housing Code shall apply to all residential and non-residential structures and all premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protections from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibilities of owners, operators and occupants; the occupancy of existing structures and premises, and for the administration, enforcement and penalties. The Code shall be construed to secure its expressed intent, which is to insure public health, safety and welfare and so far as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required by the Clarion Rental Housing Code.

156.02 REAL ESTATE CONTRACT. Any property sold on contract will be considered as a residential real estate rental dwelling unless the Real Estate Contract has been recorded at the County Courthouse. It is the property owner's responsibility to insure said Contract has been recorded and to provide proof of recording to the Code Enforcement Officer at City Hall, Clarion, Iowa.

156.03 ENFORCEMENT OFFICER. The City Council may designate, by resolution, the Building and Zoning Administrator and his or her representatives or designees as Housing Code Enforcement Officer, or the City Council may, by resolution, contract with one or more persons who by training or experience are familiar with the provisions of this Code to perform inspections of rental dwelling units in the City, to insure their compliance with this Code.

156.04 REGISTRATION OF RENTAL REAL ESTATE. All residential rental real estate shall be required to be registered with the City of Clarion, Iowa, Housing Code Enforcement Officer. Any owner-occupied real estate converted to residential real estate shall be registered within thirty (30) days of conversion. A registration fee payable to the City of Clarion is due upon registration as follows:

1. Single Family or Duplex - \$20.00 per structure
2. Multiple Family Dwelling or Structure - \$20.00 per structure plus \$3.00 per unit
3. Rooming House - \$20.00 per structure plus \$3.00 per unit

Failure to register as required shall be a violation of this Ordinance and punishable as a Municipal Infraction and each day after the deadline date for registration that the dwelling remains unregistered is a separate and distinct violation.

156.05 INSPECTIONS. All residential rental real estate located within the City Limits of the City of Clarion, Iowa, shall be subject to inspection. The owner of single family owner-occupied residential housing unit shall schedule and have completed an inspection within sixty (60) days of the date the Notice to Schedule Inspection is sent to such owner by the Code Enforcement Officer.

156.06 INSPECTION REQUIREMENTS. Regular inspection of rental dwelling units shall be required every two years. The owner of the rental housing dwelling unit or units shall pay the fee for inspections. Inspection fees set by the Code Enforcement Officer are payable to the City of Clarion. The initial inspection fees are as follows:

1. Single Family or Duplex - \$75.00 payable in advance
2. Multiple Dwelling or Structure - \$75.00 for the first unit plus \$15.00 for each additional unit, payable in advance

If the property is found non-compliant initially then a \$30.00 re-inspection fee shall be applied to each unit re-inspected, payable in advance.

156.07 INSPECTION REPORT. Residential rental real estate shall not be rented or a tenant allowed to occupy until such time as the inspection report shows that such real estate is in compliance with the Clarion Rental Housing Code adopted by the City of Clarion, Iowa. Occupancy of such residential rental real estate prior to a satisfactory inspection report shall be a violation of the Clarion Rental Housing Code and may be charged as a Municipal Infraction and in addition thereto the City of Clarion may obtain an Injunction prohibiting occupancy until such time as satisfactory inspection report has been made.

156.08 PROPERTY NOT IN COMPLIANCE. If inspection reveals that the property is not in compliance with the Clarion Rental Housing Code, the Code Enforcement Officer shall provide the owner with a copy of the inspection report specifying the improvements or repairs required in order to bring the inspected property into compliance. A re-inspection shall be completed within forty five (45) days of the initial inspection unless express written consent is obtained from the Code enforcement Officer. Properties not in compliance with the Clarion Rental Housing Code within ninety (90) days after initial inspection shall be vacated and rent not payable by the tenant until the property has been inspected and a satisfactory inspection report filed.

156.09 FAILURE TO INSPECT. Failure to schedule and complete an inspection or re-inspection, if required, is a violation of this Ordinance and may be charged as a Municipal Infraction for each day said property remains occupied but not in compliance with the Clarion Rental Housing code as a separate infraction.

156.10 RENTAL HOUSING PERMIT. The owner of any rental residential housing shall file an application and registration for a rental housing permit with the Code Enforcement Officer for the City of Clarion on an application provided by the Code Enforcement Officer. The property owner shall be provided with a copy of the inspection form at the time of registration to aid in the inspection compliance. If the Code Enforcement Office determines that all applicable provisions of the Clarion Rental Housing Code have been complied with, or a variance or modification allowed, a residential rental permit shall be issued to an owner of residential rental housing upon payment of the required Rental Permit Fees. The residential rental housing permit shall be a document entitled "Rental Permit" establishing satisfactory compliance with the Clarion Rental Housing Code at the time of issuance and shall be valid

for a period of two (2) years from the date of issuance. The Rental Permit shall state the date of issuance, permit number, address of the structure to which it is applicable and its expiration date.

If a Rental Permit is not issued, all residential dwelling units and rooming units being rented by owner without such valid Rental Permit or application for the same on file with the Code Enforcement Officer may be ordered vacated or the collection of rent prohibited, and notice will be served upon the owner/operator and any tenant or any other occupant directing that the dwelling unit be vacated or the rent shall not be payable until such time as said residential rental dwelling unit shall have available and supply to its prospective tenant a copy of the Rental Permit prior to renting any residential rental dwelling unit.

156.11 RENTAL PERMIT TRANSFERRABLE. The Rental Permit shall be transferrable from an owner to another purchaser or person at any time prior to its expiration, termination or revocation. The transferor shall notify the Code Enforcement Office or any change of interest or ownership in property within thirty (30) days of any conveyance or transfer of interest affecting the property and provide the name and address of all persons who have acquired an interest in such property. If the Code Enforcement Officer has not been notified of such conveyance or transfer within the designated time period, the Rental Permit shall not be transferred unless a fee designated per structure type for each residential rental dwelling structure has been paid for each structure.

156.12 VIOLATIONS. Any violation of the Clarion Rental Housing Code shall be punishable as a Municipal Infraction. When charged as a Municipal Infraction, the following schedule of Civil Penalties shall apply:

1st Offense - \$100.00

2nd Offense - \$250.00

3rd Offense - \$500.00

4th Offense - \$750.00

Each and every day that a violation of said Ordinance occurs is a separate infraction or violation and may be charged as a 2nd, 3rd, or 4th Offense accordingly.

(Ch. 156 – Ord. 554 – Jul. 14 Supp.)

[The next page is 825]