

ARTICLE VIII. RENTAL UNIT INSPECTIONS***Sec. 14-301. Inspections required; rental unit defined.**

All residential rental units within the city shall comply with applicable codes and shall be subject to periodic inspections, as herein set forth. A residential rental unit for the purposes of this article is defined as any of the following which is rented or leased to a person as a living and/or sleeping facility:

- (1) A single family residential structure, a unit in a duplex or a flat;
- (2) An apartment unit;
- (3) A hotel or motel room or unit, or room in a rooming house.

Accommodations in a single family residence for one boarder, roomer or occupant who is not a family member shall not be deemed a rental unit for the purposes hereof.

(Ord. No. 00-02, § 1, 3-13-00)

Sec. 14-302. Inspections; when conducted; authorization; notices; warnings.

(a) The enforcement official designated by the city manager shall inspect all residential rental units within the city on a periodic basis and at least once every two years or as otherwise provided in the resolution promulgated pursuant to subsection (d) hereof, or under any of the following circumstances:

- (1) Upon receipt of a complaint that the premises are in violation of a city ordinance or ordinances.
- (2) Upon receipt of a report or a referral from the police department fire department, public or private school, or other public agency.
- (3) Upon evidence of existing housing code violation observed by the designated enforcement official.

(b) The designated enforcement official shall make an appointment for an inspection of the rental dwelling(s) with the owner or agent. After the inspection the inspector shall issue a written inspection report noting any violations of this Code and shall provide a copy of the report to the owner or responsible local agent. The inspector shall direct the owner/agent to correct violations within the time set forth in the report. A reasonable time for correcting violations shall be determined by the inspecting officer in light of the nature of the violations and all relevant circumstances, which shall not exceed 60 days unless correction of the violation within the 60-day period is impossible due to seasonal considerations, provided, however, that necessary corrections disclosed by the initial inspection only need not be corrected for one year unless the enforcing official certifies that the condition(s) constitute a

***Editor's note**—Ord. No. 00-02, § 1, adopted March 13, 2000, set out provisions intended for use as ch. 14, art. VII. Inasmuch as there were already provisions so designated, said ordinance has been included herein as art. VIII at the discretion of the editor.

danger to the inhabitants in which case the above specified time limits shall apply. Upon request of the person responsible for correcting violations, the inspecting officer may extend the time for correcting violations not to exceed an additional 30 days.

- (c) (1) The designated enforcement official shall make suitable arrangements to conduct an inspection. The enforcement official shall contact the owner/agent and/or tenant as the case may be, by phone or by mail and set up a mutually convenient date for inspection. A follow-up written confirmation shall follow. In the event appropriate arrangements cannot be made voluntarily, the designated enforcement official shall issue notice by first class mail setting a date for inspection.
- (2) The owner/agent and/or tenant as the case may be, shall be advised that the inspection process is mandatory. This advice shall be given either orally or in writing prior to the conduct of the inspection. If appropriate, the designated enforcement official shall inform the owner/agent and/or tenant as the case may be, that if entry is refused a search warrant may be sought by the enforcement official. If the owner/agent and/or tenant refuses to permit a scheduled inspection, the designated enforcement official may, through the city attorney, seek an administrative search warrant to conduct the inspection.

(d) The inspection will be conducted pursuant to a rental inspection report which shall be on a form specified by the city council, by resolution. Said rental inspection report will set forth an appropriate criteria to govern the inspection process and will form the basis for determining whether a rental unit meets Code requirements and the period of time between inspections. (Ord. No. 00-02, § 1, 3-13-00; Ord. No. 05-01, § 1, 2-28-05; Ord. No. 05-04, 3-14-05)

Sec. 14-303. Inspection fees; certification.

The owner shall pay a fee for periodic inspection of each residential rental unit as established by resolution of the city council. The fee will cover the cost of the initial inspection and one follow-up inspection to ensure any deficiencies have been corrected. Should the deficiencies not be corrected, a charge for each subsequent re-inspection shall be made. Fees shall be paid prior to inspection. Any unpaid inspection fees shall become a lien on the property and collected as provided by law. An appropriate certification shall be issued if the rental unit is determined to meet applicable code requirements.

(Ord. No. 00-02, § 1, 3-13-00)