

## **ORDINANCE NO. 1469**

### **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GRINNELL, IOWA, BY AMENDING PROVISIONS BY ADDING CHAPTER 154 - RENTAL INSPECTIONS.**

**BE IT ENACTED** by the City Council of the City of Grinnell, Iowa:

**SECTION 1: NEW CHAPTER.** The Code of Ordinances of the city of Grinnell, Iowa, is amended by adding a new chapter entitled Chapter 154 – RENTAL INSPECTIONS, which is hereby adopted to read as follows:

#### **Chapter 154 – Rental Inspections**

##### **154.01: Adoption and Establishment of a Rental Inspection Program.**

That two (2) copies of the 2015 International Property Maintenance Code of which are on file in the office of the Director of Building and Planning of the City of Grinnell and one (1) copy on file at the Drake Community Library being marked and designated as the International Property Maintenance Code, 2015 edition, as published by the International Code Council, is hereby adopted as the Rental Code of the City of Grinnell, in the State of Iowa for regulating and governing the conditions and maintenance of all dwellings used for habitation and are not owner-occupied. Any dwelling or dwelling unit(s) located as part of a building that is routinely inspected by a representative of the State Fire Marshal's office which includes college dorm rooms and nursing homes; hotels, motels, and other uses which receive an inspection only based upon a complaint are not exempt from this code. This code, with amendments, shall provide the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that rental structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code on file in the office of the City of Grinnell are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**154.02: Amendments:** All amendments identified in Chapter 160 of the City of Grinnell Code of Ordinances shall apply to the Rental Inspection Program.

**154.03:** That if any section subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Grinnell hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses and phrases be declared unconstitutional.

**154.04:** That nothing in this legislation or in the 2015 International Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in SECTION 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

**154.05:** That the City Clerk is hereby ordered and directed to cause this legislation to be published and recorded, and the community shall therefore be notified of such new regulations.

**154.06:** That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption.

**154.07: Registration Requirement.**

All rental properties and rental units within the corporate limits of the City of Grinnell shall be registered with the City annually 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 Building and Planning Department on or before May 1 of each year.

By registering rental properties and/or rental units, the property owner consents to the City of Grinnell Code Official or a designated agent, entering and conducting an inspection. The registration process shall be conducted in accordance with the City of Grinnell's Rental Code Administrative Policy.

**154.08: Inspection.** Each rental property and rental unit shall be inspected by the designated inspector at a frequency stated in the City of Grinnell's Rental Code Administrative Policy. The inspections will be conducted to confirm compliance with regulations set forth by said Code. Inspections will be conducted in accordance with the City of Grinnell's Rental Code Administrative Policy and in accordance with all state and federal laws pertaining to tenant rights and notification requirements. When there is more than one dwelling unit at a rental property, the Code Official, or a designated agent, shall make the determination on whether all of the dwelling units must be inspected, or a percentage of the units may be inspected as a substitution, solely at the discretion of the Code Inspector.

**154.09: Fees.** All fees associated with the Rental Code program shall be established by resolution of the City Council.

**154.10: 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. This information must be on file with the City and contained in the registration application. Incorrect info may be subject to a major violation fine as outlined in the fee schedule which is available and on file in the office of the City of Grinnell City Clerk.

**154.11: Violations.** Rental properties and/or rental units that fail to comply with this chapter shall be referred to the Code 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.

**154.12: Appeals:** Any person whose permit to operate a rental dwelling unit has been suspended or who has received notice from the housing inspector that a permit is to be suspended unless existing conditions or practices are corrected, may request, and shall be granted, a hearing on the matter before the Building Code Board of Appeals, provided that if no petition for such hearing is filed within ten (10) days following the day on which such permit was suspended, such permit shall be deemed to have been automatically revoked.

**154.13: Occupancy:** All dwelling units shall not be occupied by more occupants than what is

defined by Table 404.5 of the 2015 International Property Maintenance Code (adopted by city of Grinnell – Chapter 160). Bedrooms and living rooms must also comply with SECTION 404.4.

**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 invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged 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 Council the 20th day of May, 2019, and approved this 20th day of May, 2019.



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Mayor

ATTEST:



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City Clerk

First Reading: Monday, April 15, 2019 Vote: 6-0.

Second Reading: Monday, May 6, 2019 Vote: 6-0

Third Reading: Monday, May 20, 2019 Vote: 6-0

I certify that the foregoing was published as Ordinance No. 1469 on the 30<sup>th</sup> day of May 2019.



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P. Kay Cmelik, City Clerk