

Copy of
City of Independence, Missouri
Rental Inspection Ordinance

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 16-086

Ord.No: 18637

Agenda Title:

16-086 - 2R. An ordinance amending Chapter 4, "Building, Plumbing and Electrical Installations", by adding a new Article 15, "Rental Ready Program", to Chapter 4 of the City Code, pertaining to business licensing and inspection requirements for rental properties to be effective January 1, 2017. [*Motion made to substitute language to allow for an effective date of June 1, 2017.*]

Recommendations:

Staff recommends approval.

Executive Summary:

This ordinance would establish an interior residential rental dwelling unit inspection. The program's focus is to protect the health, safety and welfare of the public.

Background:

On July 11, 2016, staff presented to the City Council an overview of the rental inspection program. The goals of the program are to protect the health, safety and welfare of residents, maintain attractive and desirable neighborhoods, and ensure minimum standards for the interior of residential buildings.

The proposed rental inspection program would require all residential rental units to pass a basic health/safety inspection every two years. The landlord would be required to hire a qualified housing inspector such as from the American Society of Home Inspectors, National Association of Home Inspectors or have other qualifications.

The qualified housing inspectors would be required submit the approved inspection forms to the City showing that the unit passes the basic health/safety items. If a unit fails an inspection, the landlord will be required to resolve any deficiencies and have the unit re-inspected. No unit can be rented without an approved inspection form.

Any rental dwelling unit that has been inspected for any reason may submit that inspection report provided the inspection is no older than twelve (12) months.

The rental inspection process would begin in January 2017 with a 2-year initial implementation with half the units inspected each year. During the initial implementation, the rental inspections will be valid for up to 2 years. After the initial implementation, the landlord would be required to have their units inspected with their business renewal and those inspections would be valid for 2 years.

Department: Community Development

Contact Person: Tom Scannell

REVIEWERS:

Department
City Clerk Department

Action
Approved

Council Action:

Council Action: Accepted

ATTACHMENTS:

Description	Type
<input type="checkbox"/> <u>Rental Ready Ordinance - Amended Effective Date</u>	Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 4, "BUILDING, PLUMBING AND ELECTRICAL INSTALLATIONS", BY ADDING A NEW ARTICLE 15, "RENTAL READY PROGRAM", TO CHAPTER 4 OF THE CITY CODE, PERTAINING TO BUSINESS LICENSING AND INSPECTION REQUIREMENTS FOR RENTAL PROPERTIES TO BE EFFECTIVE JUNE 1, 2017.

WHEREAS, there is a need to protect the health, safety and welfare of the public; and,

WHEREAS, it is deemed necessary for residential rental housing within the City of Independence to be registered and properly maintained; and,

WHEREAS, substandard housing conditions should be identified and corrected, and procedures for implementation should be established;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That a new Article 15, "Rental Ready Program", of Chapter 4 of the Code of the City of Independence, Missouri, is hereby added, to read as follows:

"Article 15. RENTAL READY PROGRAM

SEC. 4.15.001. Statement of Purpose

The purpose of this Article is to protect the public health, safety and general welfare of the residents of Independence in rental dwellings. The further intent of this Article is to:

- 1. Promote safe living conditions and a well-maintained community;**
- 2. Protect the character and stability of residential areas;**
- 3. Correct and prevent housing conditions that adversely affect or are likely to adversely affect the safety, health and welfare of residents of rental properties;**
- 4. Preserve the value of land and buildings throughout the City; and**
- 5. Ensure minimum standards for the interior of residential buildings.**

SEC 4.15.002 Definitions

APPLICANT means a duly authorized officer or person of a business applying for an occupation license, either new or renewal.

BUSINESS means all kinds of vocations, occupations, professions, enterprises, establishments and all other kinds of activities and matters together with all devices, machines, vehicles and appurtenances used therein, any of which are conducted for private profit or benefit, either directly or indirectly, on any premises in this City, or anywhere else within its jurisdiction, unless specified as a non-business through State or City Charter exemption.

CITY means the City of Independence, Missouri.

CITY CODE means the Code of the City of Independence, Missouri.

DWELLING means a building or structure that contains one or more Dwelling Units or Rooming Units intended or designed to be used or occupied for living purposes.

DWELLING UNIT means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

INFESTATION means the presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

LANDLORD means any person firm or corporation who rents, lets or let for occupancy dwelling units owned by such person, firm or corporation.

LET or LET FOR OCCUPANCY means to permit possession or occupancy of any dwelling by a person who is or is not the legal owner of a record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

LICENSE YEAR is the twelve month period beginning the first day of the month in which a license is issued for or renewed.

MANAGER means any person who, alone or jointly or severally with others, shows Rental Dwellings to prospective Occupants and/or enters lease agreements on the Owner's behalf, and/or receives Rent from Occupants, and/or is responsible for, or arranging for, maintenance of a Rental Dwelling.

OCCUPANT/TENANT means any individual living or sleeping in a Rental Dwelling, or having possession of a space within a Rental Dwelling.

OWNER means 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.

OWNER'S REPRESENTATIVE means any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

PERSON means any individual, firm, corporation, association, partnership, cooperative or governmental agency.

PREMISES means a lot, plot or parcel of land including any structures thereon.

QUALIFIED RENTAL HOUSING INSPECTOR means a private inspector who is registered with the City as a qualified rental ready inspector and currently maintains and possesses at least one of the following credentials:

- A. **International Code Council (ICC): Building or Property Mtc. Inspector;**
- B. **American Home Inspection Training (AHIT);**
- C. **American Society of Home Inspectors (ASHI);**
- D. **National Association of Home Inspectors (NAHI);**
- E. **American Association of Code Enforcement (AACE): Property Mtc and Housing Inspector;**
- F. **National Society of Home Inspectors (NSHI);**

- G. National Association of Housing and Redevelopment Officials (NAHRO); Specialist of Inspections;
- H. International Association of Certified Home Inspectors (InterNACHI);
- I. Missouri Licensed Real Estate Professional;
- J. City of Independence Licensed Contractor.

RENT means payments of cash or other forms of consideration made periodically by an Occupant to an Owner, Owner's Representative or Manager in return for the use of a Rental Dwelling.

RENTAL DWELLING means a dwelling, or a portion of a Dwelling, designed for or used for human habitation and offered for Rent or Let for Occupancy.

RENTAL DWELLING UNIT means a dwelling unit that is or may be available for rent or let for occupancy, or is occupied or rented by a tenant or subtenant in exchange for any form of consideration.

SEWAGE means any liquid waste containing human, animal or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution.

TRANSITIONAL HOUSING is temporary housing usually incorporated with case management for individuals living in Emergency Shelter at least 60 days to help move them to self-sufficiency and obtain permanent housing.

SEC. 4.15.003. Applicability

- A. The provisions of this Article shall apply to all rental dwelling units as defined by this Article. One (1) Business License shall be issued for each rental dwelling building under common ownership and shall be deemed to cover all units therein under common ownership. In the event any Rental Dwelling building has different ownership for different units therein, each owner shall be required to obtain a separate Business License. (For example, if each Dwelling Unit of a duplex is owned by separate owners and offered for rent or let for occupancy, each owner must obtain a separate business license.)
- B. The provisions of this Article shall not apply to the following rental dwelling units:
 - 1. Housing units that are unavailable for rent;
 - 2. Housing units in hotels, motels, inns, bed and breakfasts, or in similar accommodations that provide lodging for transient guests;
 - 3. Housing units in any state licensed hospital, hospice, community-care facility, intermediate-care facility, or nursing home;
 - 4. Housing units in any convent, monastery, or other facility occupied exclusively by members of a religious order or congregation;
 - 5. Emergency or temporary-shelter or transitional housing accommodations;
 - 6. Housing units owned, operated, or managed by a major educational or medical institution or by a third party for the institution; and
 - 7. Housing units inspected yearly pursuant to the Uniform Physical Conditions Standards (UPCS) as established by the Department of Housing and Urban Development (HUD).

SEC. 4.15.004. Business License Required

- A. No person shall allow to be occupied, offer for rent, rent to another for occupancy or let for occupancy any rental dwelling unless the owner has first obtained a valid business license issued in accordance with Chapter 5 of the City Code.

- B. All those who hold a valid business license at the time this ordinance becomes effective shall be deemed to hold a valid business license within the meaning of this Article.
- C. A business license shall be valid as prescribed in Chapter 5 of the City Code.

SEC 4.15.005. Business License Application Requirements

The owner of each rental dwelling shall make a business license application to the City on a form furnished by the City for said purpose. The application shall include the following information:

- A. Owner's information to include full name, residence address, telephone number and email address.
- B. The owner has placed on file with the City the name(s), business address(es), telephone number(s) and email addresses of the Property Manager (if different than the Owner) who is responsible for day to day maintenance and management of the registered premises owned in whole or part by the applicant. (Note: A post office box will not be accepted for any address required in this subsection.)
- C. A list of all rental dwelling units owned by the owner, identified by a means unique to each unit, that are or may be available for rent at any time.
- D. The total number of rental dwellings on the premise and owned by the owner in the City of Independence.
- E. A valid rental unit inspection form shall be submitted to the City in the form and manner prescribed by the City for all rental units.
- F. Business license fees as required in Chapter 5 of the City Code are paid.

SEC. 4.15.006. Rental Dwelling Unit Inspection Required

- A. A valid rental unit inspection form shall be submitted to the City in the form and manner prescribed by the City for all rental units.
- B. The qualified rental housing inspector hired by the property owner shall make an inspection of the dwelling or dwelling units for which a satisfactorily completed and executed application for a Rental Ready certificate is filed.
- C. Any rental dwelling unit that has been inspected for any reason may submit that inspection report provided the inspection is no older than twelve (12) months.
- D. During the initial implementation, the rental dwelling unit inspection shall be valid for up two (2) years from the date the City issues the business license for the rental dwelling unit(s). After the initial implementation, the rental dwelling unit inspection shall be valid for two (2) years from the date the City issues the business license for the rental dwelling unit(s).

SEC. 4.15.008. Rental Dwelling Inspection Program

- A. Prior to the issuance of a business license for a rental dwelling or any renewal thereof, the qualified rental housing inspector shall provide to the City a passed rental unit inspection form of the premises to determine compliance with this Article. The rental unit inspection form shall include:
 - 1. No exposed electrical wires;
 - 2. All outlet and switch covers are to be secured in place and in proper working;
 - 3. No excessive use of extension cords as specified in Chapter 4.01.022.C of the City Code;
 - 4. All smoke detectors are to be in proper working order;
 - 5. No debris around hot water heater or furnace;
 - 6. Free egress around doors and windows as required in Chapter 4.01.025.A. of the City Code;
 - 7. All handrails shall be secure and function;

8. Property address street number shall be visible as required in Chapter 4.01.012.B of the City Code;
 9. Property shall be free of insect and/or rodent infestation;
 10. No evidence of animal or human waste on the walls or floor;
 11. All units shall have working sanitary drainage system as required in Chapter 4.01.018.A and B. of the City Code.
- B. Inspection of rental dwelling units for a Rental Ready Certificate shall be accomplished as follows:
1. All rental dwelling units shall be inspected by a Qualified Rental Housing Inspector every two (2) years.
 2. Any premise with more than four units on a single property which share common walls and/or common floors/ceilings shall have 10% of the total number of rental units on the property inspected.

SEC. 4.15.009. Rental Unit Registration to Issue

When the owner has properly completed the business license application for all rental unit(s), completed all requirements as provided herein and complied with all applicable codes, then the Rental Ready Certificate shall be issued.

Sec. 4.15.010. Duties of Licensee

Every owner of a rental dwelling shall notify the City of any change of information contained in the last Business License application filed with the City within thirty (30) days after the changed information.

SEC. 4.15.010. Fees and Charges

A business license application must be accompanied by the business license fees as required in Chapter 5 of the City Code.

SEC. 4.15.011. Suspension, Revocation or Denial of Business License; Right of Appeal

- A. The City may revoke, suspend, deny or deny renewal of any business license issued under this Article where any of the following applies:
1. False statements on any application or information or report required by this Article to be given by the applicant, registrant, or permit holder.
 2. Failure to pay any application, penalty, re-inspection, or reinstatement fee required by this Article.
 3. Failure to correct deficiencies within the time frame specified in a Notice of violation issued pursuant to this Chapter.
 4. Failure to provide proof of Rental Unit inspection as required by this Article.
- B. No business license may be denied, suspended, revoked or the renewal thereof denied unless notice and an opportunity to be heard is given the holder of the business license in accordance with the notice provisions set forth in Chapter 5 of the City Code, as applicable.

SEC. 4.15.012. Penalty

A. Any person violating the provisions of this Article shall, upon conviction thereof, be subject to a fine up to \$450. In addition thereto, the city may institute injunction, mandamus or other appropriate forms of remedy or relief. Provided, that it shall be a defense to a prosecution under this article that a person charged requested and used reasonable efforts to obtain access to a dwelling unit or rooming unit under lease to another and was refused access by the lessee or person in possession of such unit.

PASSED THIS _____ DAY OF _____, 2016, BY THE CITY COUNCIL OF
THE CITY OF INDEPENDENCE, MISSOURI.

Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

City Counselor

REVIEWED BY

City Manager

**NOTE: Words struck through and bolded are being removed by this ordinance and words
underscored and bolded are being added by this ordinance.**

Copy of:

- City of Columbia, Missouri
Rental Inspection Ordinance
- Rental Inspection Checklist
- Application for Certificate of
Compliance
- Heating and ventilation
systems of certificate of
inspection and approval

ARTICLE V. - RENTAL UNIT CONSERVATION LAW



Sec. 22-181. - Title.

This article shall be known and may be cited as the "Rental Unit Conservation Law of the City of Columbia, Missouri."

(Code 1964, § 11.1100)

Sec. 22-182. - Article provisions deemed supplemental.

The requirements of this article shall be in addition to the requirements of all other applicable ordinances, including chapter 13, article II, known as the general licensing ordinance of the city, and the penalties imposed by this article for violations shall be in addition to those imposed for violations of chapters 6, 9 (article II), 20, 23, 24, 25 and 29 of this Code and all other applicable ordinance provisions.

(Code 1964, § 11.1130; Ord. No. 21425, § 1, 9-17-12)

Sec. 22-183. - Definitions.

Unless otherwise expressly stated, for the purpose of this article, the following terms shall have the meanings indicated:

Agent of the owner. A person who is authorized to act on behalf of the owner, as herein defined, with regard to repairs and maintenance of a dwelling or rooming unit.

Apartment house. Any dwelling or combination of related dwellings having the same owner, located in a contiguous area, and operated as a single business entity, in which the operator provides for lease three (3) or more dwelling units.

Census tracts. Those areas established as census tracts for the 1970 Census of Population and Housing in the City of Columbia by the U.S. Department of Commerce, Bureau of the Census.

Contiguous area. Any lots, plots or parcels of land which actually touch each other or which are a part of the same city block and abut upon a common public street or alleyway.

Director. The director of the department of community development of the city, or the director's authorized representative.

Dwelling. Any building, mobile home, or other structure which is wholly or partly used or intended to be used for residential occupancy, but this word shall not include temporary housing.

Dwelling unit. One or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.

Existing apartment house, rooming house, two-family dwelling or single rental unit. A dwelling or dwellings operated as an apartment house, rooming house, two-family dwelling, or single rental unit on the effective date of the ordinance from which this article is derived.

New apartment house, rooming house, two-family dwelling or single rental unit. A dwelling constructed or operated as an apartment house, rooming house, two-family dwelling or single rental unit after the effective date of this ordinance which was not operated as an apartment house, rooming house, two-family dwelling, or single rental unit on the effective date of the ordinance from which this article is derived.

Occupant. Any person over one year of age (including owner or operator) living in a dwelling or rooming unit or having actual possession of such dwelling or rooming unit.

Office of the manager. An office located on the premises for which a certificate of compliance is issued or sought, where an agent of the owner may be contacted on a regular basis.

Operate, operating and operation. Owning or acting as lessor or manager of any apartment house, rooming house, two-family dwelling or single rental unit which is leased or rented in the city. Proof of any of the following acts shall be prima facie evidence of "operation":

- (1) Being owner of an apartment house, rooming house, two-family dwelling or single rental unit leased or rented for residential purposes; or
- (2) Acting as agent for the owner of an apartment house, rooming house, two-family dwelling or single rental unit as herein defined; or
- (3) Making application for a business license or certificate of compliance under the provisions of this article for an apartment house, rooming house, two-family dwelling or single rental unit; or
- (4) Signing of a lease or document to lease a dwelling or rooming unit in an apartment house, rooming house, two-family dwelling or single rental unit on behalf of or as lessor or landlord, provided that the act of subleasing of a dwelling or rooming unit shall not constitute operation, absent proof of other acts constituting operating within the meaning of this article; except on a showing by the person with respect to subparagraphs (2), (3) or (4):
 - a. That he is not authorized to act on behalf of the owner with regard to repairs and maintenance of a dwelling or rooming unit; and
 - b. Of the identity or name of the person who is authorized to act on behalf of the owner with regard to repairs and maintenance of a dwelling or rooming unit.

Operate, operating and operation also includes rent to own, lease purchase and contract for deed arrangements.

Operator. The owner and any person operating an apartment, rooming house, two-family dwelling or single rental unit in the city.

Owner. The owner or owners or the mortgagee in possession of the apartment house, rooming house, two-family dwelling or single rental unit, as the case may be.

Premises. A lot, plot or parcel of land, including the buildings or structures thereon.

Rooming house. A dwelling consisting of three (3) or more rooming units leased separately, none of which include cooking facilities, but which may include a common kitchen to be shared by three (3) or more occupants. This definition shall also include the housing provided by fraternities and sororities organized for students of any college or university; however, a hotel, motor hotel or motel licensed under Missouri statute shall not, be deemed a rooming house for purposes of this article.

Rooming unit. Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

Single rental unit. Any dwelling unit existing in a dwelling in which the operator thereof provides, for lease, up to but not to exceed one dwelling unit.

Temporary housing. Any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) consecutive days.

Two-family dwelling. Any dwelling or combination of related dwellings having the same owner, located in a contiguous area, and operated as a single business entity, in which the operator provides for lease two (2) dwelling units.

(Code 1964, § 11.1110; Ord. No. 12032, § 1, 10-3-88; Ord. No. 21095, § 7, 9-19-11; Ord. No. 21425, § 1, 9-17-12)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 22-184. - Certificate of compliance and notice of occupancy limitations.

- (a) It shall be unlawful to operate within the city any apartment house, rooming house, two-family dwelling, or single rental unit without a current certificate of compliance. The certificate of compliance shall be displayed in the office of the manager.
- (b) It shall be unlawful for any person to lease or sublease any apartment house, rooming house, two-family dwelling or single rental unit without first providing to the lessee or sublessee written notice of the zoning district in which the property is located and the applicable occupancy limitations under chapter 29. The notice shall be signed by the lessor and each lessee and shall either be contained in the written lease or shall be on a zoning occupancy disclosure form provided by the director.

- (c) It shall be unlawful for any owner, operator, agent or property manager of a rental unit to fail to immediately, upon request by a police officer or city inspector investigating a violation of this article, provide the certificate of compliance and notice of occupancy limitations signed by all lessees or sublessees pertaining to the unit. No person shall be found guilty of violating this subsection if the person demonstrates to the city that the person met the disclosure requirements of this section at the time of the alleged violation by producing the properly executed documentation within ten (10) business days of the date of the request.

(Code 1964, § 11.1120(G); Ord. No. 11416, § 1, 3-16-87; Ord. No. 21425, § 1, 9-17-12; Ord. No. 21558, § 2, 1-7-13; Ord. No. 21854, § 3, 10-21-13)

Sec. 22-185. - Reserved.

Editor's note— Ord. No. 21425, § 1, adopted September 17, 2012, repealed § 22-185, which pertained to classes of certificates and derived from § 11.1140 of the 1964 Code.

Sec. 22-186. - Application for certificate.

- (a) Formal application required. Every operator shall submit an application for a certificate of compliance to the director. If the certificate of compliance has been revoked pursuant to section 22-193 of this article or if the owner, operator or tenant has been convicted of a violation of chapter 29 of this Code, the operator is ineligible for a certificate of compliance for that dwelling for a period of three (3) years.
- (b) *Content and form.* The application for such certificate of compliance shall be a written statement. One application may be submitted for all property in common ownership and under a common operator. The application for the certificate of compliance shall be on forms provided by the director and shall include:
- (1) The street address and a general description of the premises for which the certificate is sought.
 - (2) The name, address and telephone number of the owner of the premises.
 - (3) The name, address and telephone number of the agent of the owner (operator).
- (c) *Consent to inspection.* The application may be accompanied by a written consent on forms provided by the director authorizing the director to enter upon and inspect the premises for which the certificate is sought at any reasonable time for the purpose of determining whether or not the premises are in compliance with chapters 6, 9 (article II), 20, 23, 24, 25 and 29 of this Code.
- (d) *Inspection fees.* The application shall be accompanied by the full payment of the inspection fees.
- (e) *Heating and ventilation systems certificates of inspection and approval.* The application shall be accompanied by a certificate of inspection and approval signed by a journeyman or master mechanical heating, ventilation, air conditioning and refrigeration mechanic licensed by the city. The certificate shall state that all fuel fired appliances in the premises for which a certificate is sought were personally inspected by the mechanic and were functioning properly and safely. The certificate shall also state the

date on which the inspection was made. For renewal certificates, the inspection must have been made within ninety (90) days before the current certificate of compliance expires. For original certificates, the inspection must have been made within ninety (90) days before the application is filed.

(Code 1964, § 11.1150; Ord. No. 13407, § 1, 8-3-92; Ord. No. 20848, § 1, 1-18-11; Ord. No. 21425, § 1, 9-17-12)

Sec. 22-187. - Procedure for issuance of certificate.

- (a) *Inspection prerequisite.* The director shall make an inspection of the dwelling or dwellings for which a satisfactorily completed and executed application for a certificate of compliance is filed. Such inspection shall be made pursuant to consent or a search warrant issued under the provisions of section 22-189 of this article. No person shall be prosecuted for a violation of this article prior to inspection of the dwelling or dwellings for which an application for a certificate of compliance has been filed, provided that such application is satisfactorily completed and executed and is filed prior to the date when the applicant must obtain or renew the certificate of compliance.
- (b) *Inspection of each unit.* An inspection shall be required for each dwelling or rooming unit sought to be licensed, provided that the director, upon written request by the applicant, may determine by random sampling of at least thirty (30) percent of the dwelling or rooming units, whether an apartment house or rooming house containing more than thirty (30) dwelling or rooming units complies with the provisions of chapters 6, 9 (article II), 20, 23, 24, 25 and 29 of this Code, provided that those units inspected must be representative of the various types and location of units in the dwelling and further that all units for which a violation complaint has been received shall be inspected.
- (c) *Issuance.* If, as a result of the inspection, the director determines that the dwelling is in compliance with the provisions of chapters 6, 9 (article II), 20, 23, 24, 25 and 29 of this Code, he shall issue a certificate of compliance to the operator.
- (d) *Violations.* If, as a result of the inspection, the director shall determine that the dwelling is in violation of any of the provisions of chapters 6, 9 (article II), 20, 23, 24, 25 of this Code, the director shall notify the operator of the violations and proceed to correct such violations under the provisions of chapters 6, 9 (article II), 20, 23, 24, or 25 of this Code, whichever is applicable.

The operator of an apartment house, rooming house, two-family dwelling, or single rental unit where any such violation is found to exist shall have all rights and remedies and shall be subject to the procedures established by chapters 6, 9 (article II), 20, 23, 24, or 25 of this Code, whichever is applicable.

(e) *Certificate of use conditioned on compliance:*

- (1) *Pending appeal.* The operator of a dwelling where violations of chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code are found to exist may apply to the director for a certificate of use conditioned on compliance to allow the operator to appeal from a notice of violation under the applicable procedures. Such certificate shall be issued only if:
 - a. An appeal under the applicable ordinance has been filed; and

b. Only for such time as is actually necessary to complete said appeal.

A certificate of use conditioned on compliance issued hereunder shall expire upon completion of the appeals process unless extended under the provisions of subsection (e)(2) herein.

(2) *Period of compliance.* A certificate of use conditioned on compliance may be issued by the director, on application, to make available a reasonable time for existing apartment houses, rooming houses, two-family dwellings, or single rental units to come into compliance with the provisions of chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code. Such certificate shall be issued only:

- a. On signing of a notarized agreement by the operator admitting such violations and agreeing to remove such violations within a reasonable time period agreed to by the director, or established by an appeals board on appeal under subsection (e)(1); and
- b. Only for the period as determined by the director or established by an appeals board on appeal under subsection (e)(1), which is reasonably required to remove such violations, which period, if established by the director, shall in no event exceed one hundred eighty (180) days. A certificate of use conditioned on compliance shall be revoked if it appears that the operator is not correcting the violations in accordance with the established compliance schedule.

A certificate of use conditioned on compliance may not be issued for a new dwelling, two-family dwelling, or single rental unit, and may not be issued for any dwelling or rooming unit which the director has declared to be an unsafe building or a structure unfit for human occupancy under the building code of the city.

(f) *Provisional certificate of compliance.* If the owner, operator or tenant of a dwelling has been convicted of a violation of chapter 29 of this Code, or the director has revoked the certificate of compliance for the dwelling, the owner of the dwelling may apply to the director for a provisional certificate of compliance. In addition to the requirements contained in section 22-186 of this article, the owner must also provide the director with information on the owner's compliance efforts or procedural changes which will ensure compliance with city codes. A provisional certificate of compliance shall expire one (1) year from the date of issuance. The director shall only issue a provisional certificate of compliance when the owner satisfies the director that the structure and the use of the structure is in compliance with city code. The director shall impose conditions upon which the provisional certificate of compliance is granted. At a minimum, these conditions shall include the following requirements:

- (1) Owner must consent to inspection by inspectors at all reasonable times upon request by a city inspector.
- (2) Immediate revocation of the provisional certificate of compliance if the code inspector finds a violation of city codes.

If there are no violations of chapter 29 of this Code, the owner may apply to the director for an extension of the provisional certificate of compliance for an additional one-year term. The director may grant no more than two (2) extensions of the provisional certificate of compliance.

(Code 1964, § 11.1160; Ord. No. 20848, § 1, 1-18-11; Ord. No. 21425, § 1, 9-17-12)

Sec. 22-188. - Fees and charges.

- (a) In order to defray the costs incident to the administration of this article, the following fees shall be required to be paid for the inspection and shall be nonrefundable:
- (1) There shall be an application fee of sixty dollars (\$60.00) per building for each application for a certificate of compliance.
 - (2) There shall, in addition, be an inspection fee of twenty-six dollars (\$26.00) per dwelling unit or rooming unit, as the case may be, covered by each certificate of compliance.
 - (3) There shall, in addition, be a reinspection fee of forty-three dollars (\$43.00) per unit.
 - (4) There shall, in addition, be a fee of thirty-four dollars (\$34.00) to be assessed when owner or owner's representative fails to meet with inspector at scheduled appointment time.
- (b) In addition to inspection upon application or complaint, units may be inspected at the request of the owner for which an inspection service charge of fifteen dollars (\$15.00) shall be charged. The inspector shall provide the owner with a written summary of the findings of his inspection, provided that such an inspection shall extend only to matters regulated under the provisions of these ordinances and shall not extend to the condition of items of personal property or to fixtures, the condition of which is not addressed by city codes.
- (c) In the event that a unit for which an unexpired certificate of compliance has been issued is inspected pursuant to a complaint, the person making the complaint shall pay a fifteen dollar (\$15.00) inspection service charge if the unit is not found to be in violation of any ordinance.
- (d) In the event fees due and payable under this section remain outstanding for a period of sixty (60) days, the account may be submitted to a collection agency for collection. All such collection costs, including but not limited to court costs and attorney fees, shall be paid by the debtor.

(Code 1964, § 11.1190; Ord. No. 11622, § 1, 9-21-87; Ord. No. 13438, § 3, 9-21-92; Ord. No. 16594, § 2, 9-18-00; Ord. No. 21425, § 1, 9-17-12; Ord. No. 22214, § 1, 9-15-14)

Sec. 22-189. - Search warrant.

When application is made pursuant to this article for a certificate of compliance with respect to any house, dwelling or unit, the municipal judge of the county circuit court shall have authority to issue search warrants for searches or inspections of such house, dwelling or unit to determine the existence of violations of chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code. Warrants and searches or inspections made pursuant thereto shall conform to and be governed by the following provisions:

- (1) The city manager may make application for the issuance of a search warrant.
- (2) The application shall:
 - a. Be in writing;

- b. State the time and date of the making of the application;
 - c. Identify the property or places to be searched in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
 - d. State facts sufficient to show probable cause for the issuance of a search warrant to search for violations of chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code;
 - e. Be verified by the oath or affirmation of the applicant; and
 - f. Be filed in the municipal division of the county circuit court.
- (3) The application shall be supplemented by written affidavits verified by oath or affirmation. Such affidavits shall be considered in determining whether there is probable cause for the issuance of a search warrant and in filling out any deficiencies in the description of the property or places to be searched. Oral testimony shall not be considered.
- (4) The judge shall hold a nonadversary hearing to determine whether sufficient facts have been stated to justify the issuance of a search warrant. If it appears from the application and any supporting affidavits that there is probable cause to inspect or search for violations of chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code, a search warrant shall immediately be issued to search for such violations. The warrant shall be issued in the form of an original and two (2) copies.
- (5) The application and any supporting affidavits and a copy of the warrant shall be retained in the records of the municipal judge.
- (6) Search warrants issued under this section shall:
- a. Be in writing and in the name of the issuing authority;
 - b. Be directed to any police officer or deputy in the city;
 - c. State the time and date the warrant is issued;
 - d. Identify the property or places to be searched in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
 - e. Be limited to a search or inspection for violations of chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code;
 - f. Command that the described property or places be searched and that any photographs of violations found thereof or therein be brought, within ten (10) days after filing of the application, to the judge who issued the warrant, to be dealt with according to law; and
 - g. Be signed by the municipal judge, with his title of office indicated.
- (7) A search warrant issued under this section may be executed only by a police officer or deputy of the city. The warrant shall be executed by conducting the search commanded.
- (8) A search warrant shall be executed as soon as practicable and shall expire if it is not executed and the return made within ten (10) days after the date of the making of the application.
- (9) After execution of the search warrant, the warrant with a return thereon, signed by the officer making the search, shall be delivered to the judge who issued the warrant. The return shall show the date and manner of execution and the name of the possessor and of the owner of the property

or places searched, when he is not the same person, if known.

(10) A search warrant shall be deemed invalid:

- a. If it was not issued by a judge of the municipal division of the Boone County, Missouri, Circuit Court;
- b. If it was issued without a written application having been filed and verified;
- c. If it was issued without probable cause;
- d. If it was not issued with respect to property or places within the city;
- e. If it does not describe the property or places to be searched with sufficient certainty;
- f. If it is not signed by the judge who issued it; or
- g. If it was not executed within the time prescribed by subsection (8) of this section.

(Code 1964, § 11.1165; Ord. No. 21425, § 1, 9-17-12)

Sec. 22-190. - Unlawful to refuse entry.

It shall be unlawful for any person to refuse entry or access to any unit, dwelling or structure to any person to whom a search warrant has been issued authorizing inspection of said unit, dwelling or structure pursuant to the provisions of this article.

(Code 1964, § 11.1120(H))

Sec. 22-191. - Duration of certificates; renewal.

- (a) A certificate of compliance issued pursuant to this article, except for a certificate of use conditioned on compliance or a provisional certificate of compliance, shall be effective for three (3) years from the expiration date of the current certificate at time of application or, if no certificate existed at time of application, from its date of issue, unless sooner revoked, or unless extended by the director under the procedures established in paragraph (b) herein, or unless title or ownership of the property or any portion of the dwelling changes. Such certificate of compliance shall be renewable triennially upon forms supplied by the director in accordance with the procedures for obtaining a certificate of compliance set forth herein. Initial certificates shall be issued for new structures in conjunction with issuance of occupancy permits; inspection for the purposes of determining compliance with the building code shall satisfy the inspection provisions of this article.
- (b) The director may, on written application of the operator and payment of a forty-three dollars (\$43.00) fee per building, extend a current certificate of compliance for a period not to exceed three (3) years without further inspection, if the apartment house, rooming house, two-family dwelling or single rental unit for which the certificate of compliance is issued had no violations for the past three (3) years.
- (c) A provisional certificate of compliance shall be effective for one (1) year from the date of issue unless sooner revoked, or unless title or ownership of the property or any portion of the dwelling changes.

(Code 1964, § 11.1170; Ord. No. 13438, § 3, 9-21-92; Ord. No. 15898, § 1, 2-15-99; Ord. No. 20848, § 1, 1-18-11; Ord. No. 22214, § 1, 9-15-14)

Sec. 22-192. - Transfer of ownership.

- (a) Upon the transfer of record, legal title of any dwelling or portion thereof which has a certificate of compliance or a provisional certificate of compliance, the transferee shall either:
- (1) Apply for a certificate of compliance or a provisional certificate of compliance pursuant to section 22-186 and pay all fees pursuant to section 22-188; or
 - (2) Apply to transfer an existing certificate by complying with subsection (b) of this section.
- (b) If the transfer of title occurs within eighteen (18) months of the last satisfactory city rental inspection, and if there have been no complaints regarding the property, the transferee may cause an existing certificate to be transferred for the unexpired portion of the term for which it was issued upon making written application to the community development department, on forms to be supplied by the community development department, within fifteen (15) days from the date of the transfer of title and upon payment of a ten dollar (\$10.00) transfer fee per building. The application for transfer shall contain the same information and be in the same form as required by section 22-186(b). A transferred certificate of compliance shall not be extended beyond the original expiration date without further inspection.
- (c) Nothing contained in this section shall affect the validity of any sale, transfer or disposition of any interest in real property.

(Ord. No. 20949, § 1, 4-18-11; Ord. No. 21425, § 1, 9-17-12)

Sec. 22-193. - Noncompliance; revocation of certificate.

Whenever the director shall determine that any unit in an apartment house, rooming house, two-family dwelling, or single rental unit for which a certificate of compliance has been issued under this article is in violation of the provisions of chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code, or whenever the director shall determine that the conditions of a certificate of use conditioned on compliance are not being satisfied because violations are not being corrected in accordance with the terms and time limits set forth in the certificate of use conditioned on compliance, the director shall notify the operator of same in accordance with the notice provisions set forth in chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code, as applicable. Before revoking a certificate of compliance for such violations, a hearing shall be held in accordance with the hearing procedures set forth in chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code. The operator of the apartment house, rooming house, two-family dwelling, or single rental unit to which the certificate of occupancy issued shall have all rights and remedies and shall be subject to the procedures established by chapters 6, 9 (article II), 20, 23, 24, 25 or 29 of this Code, whichever is applicable with regard to such violations.

(Code 1964, § 11.1200; Ord. No. 21425, § 1, 9-17-12)

Sec. 22-194. - False complaints.

- (a) It shall be unlawful for any person to knowingly make a false complaint against the owner of any structure or relating to any structure subject to the inspection provisions of this article.
- (b) A false complaint shall be presumed to be knowingly made where such complaint is the third or more complaint made with respect to any structure or any owner by such person, in any twelve-month period, where inspections pursuant to such complaints fail to reveal any violation of the provisions of city ordinance upon inspection by housing inspectors of the city. This presumption shall be rebuttable.
- (c) Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction therefor, shall be fined an amount of not less than twenty dollars (\$20.00) nor more than one hundred dollars (\$100.00), or by imprisonment in the city jail for not exceeding three (3) months, or by both such fine and imprisonment. Each false complaint shall constitute a separate offense.
- (d) In addition to the criminal remedies herein provided for, the city counselor is hereby authorized to pursue any person who knowingly makes a false complaint, who shall be liable for the city's actual costs of inspection resulting from such complaint.

(Code 1964, § 11.1210)

Sec. 22-195. - Penalty.

Any person violating the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction therefor shall be punished as provided in section 1-8 of this Code. In addition thereto, the city may institute injunction, mandamus or other appropriate forms of remedy or relief. Provided, that it shall be a defense to a prosecution under this article that a person charged requested and used reasonable efforts to obtain access to a dwelling unit or rooming unit under lease to another and was refused access by the lessee or person in possession of such unit.

(Code 1964, § 11.1120(I))

Secs. 22-196—22-209. - Reserved.

RENTAL INSPECTION CHECKLIST

The City of Columbia wants landlords to be prepared for inspections. This review of codes that our staff inspects for should help you prepare and pass your inspection! Please note that this is a summary list and may not include every possible violation.

EXTERIOR PROPERTY AREAS

Sanitation (302.1 IPMC)

- Accumulation of litter, garbage or waste

Grading/Drainage (302.2 IPMC)

- Areas of Erosion
- Low areas allowing ponding of water
- Discharging storm water on Public Right of Way or neighboring property

Sidewalks/Driveways (302.3 IPMC)

- Cracks
- Broken areas
- Uneven slabs, trip hazard

EXTERIOR OF STRUCTURE

Street Numbers (304.3 IPMC)

- Visible from street

Exterior – General (304.2 IPMC)

- Peeling, flaking paint
- Exterior finishes free from holes/breaks
- Deterioration

Foundation Walls (304.2 IPMC)

- Cracks/breaks
- Tuckpointing

Windows and Doors (304.13 IPMC)

- Glass free from cracks and breaks
- Trim free of deterioration
- Trim free of peeling and flaking paint

Roofs (304.7 IPMC)

- Loose shingles
- Condition of roofing materials
- Flashing

INTERIOR OF STRUCTURE

Structural Members (305.2 IPMC)

- Structurally sound, free of deterioration
- Excessive notching of joists

Life Safety (704.2 IPMC)

• Smoke detectors in sleeping and outside of areas and on each floor level in working order. All **sleeping rooms** are required to have **smoke detectors** installed inside the sleeping room. You will still be required to have a working smoke alarm just outside of the sleeping room or rooms located in a common area such as a hallway and one on each floor, including the basement.

Accessory Structures (302.7 IPMC): fences, detached garages, sheds, retaining walls.

- Structurally sound
- Peeling or flaking paint
- Good repair

Nuisance Issues (Chapter 11 Columbia Code of Ordinances)

- Weeds (11-251)
- Furniture, limbs, trash accumulation (11-230 and 11-231)
- Unlicensed, inoperable or dismantled vehicles (11-262)

- Fascia & soffits in good repair

Drainage (304.7 IPMC)

- Gutters and downspouts connected, secured and free of missing sections
- Free from accumulation of leaves
- Downspouts discharge not creating a problem on neighboring property

Chimneys (304.11 IPMC)

- Tuck-pointing
- Plumb

Porches/Decks (304.10 IPMC)

- Handrails and guardrails secure and in good repair
- Stairways
- Flooring
- Structural members

INSPECTION TIP: Please bring along extra batteries for smoke alarms! This may save us all the time and hassle of a reinspection.

2012 IFC Section 908, Emergency Alarm Systems, 908.7 Carbon monoxide alarms

Group I or R (all residential use groups) occupancies located in a building containing a fuel-burning appliance or in a building which has an attached garage shall be equipped with single-station carbon monoxide alarms....

NFPA 720 requires a CO alarm outside of each sleeping unit in the immediate vicinity of the bedroom and on every occupiable level of a dwelling, including basements. CO alarms are not required in attics or crawl spaces. When a combination CO/smoke alarm is provided,

the fire alarm signal takes precedence over any other alarm signals. NFPA 720 requires the CO alarm be capable of transmitting a distinct audible signal that is different than the smoke alarm signal.

Exception: *Sleeping units or dwelling units* which do not themselves contain a fuel-burning appliance or have an attached garage, but which are located in a building with a fuel-burning appliance or an attached garage, need not be equipped with single-station carbon monoxide alarms provided that:

1. The *sleeping unit or dwelling unit* is located more than one story above or below any story which contains a fuel-burning appliance or an attached garage;
2. The *sleeping unit or dwelling unit* is not connected by duct work or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and
3. The building is equipped with a common area carbon monoxide alarm system.

Carbon monoxide detectors are required in all R use groups if there is an attached garage or fuel burning appliance in the dwelling unit.

2012 IFC Section 906, Portable Fire

Extinguishers.

Portable fire extinguishers are required to be installed in R-2 occupancies that include buildings with more than 2 dwelling units. *This does not apply to single family homes or duplexes regardless of zoning.*

Summary: Portable fire extinguishers do not need to be in public or common areas of Group R-2 occupancies (residential occupancies containing more than two dwelling units where the occupants are primarily permanent in nature i.e. apartment buildings) if portable fire extinguishers with a minimum rating of 1-A:10-B:C is provided in each dwelling unit.

From the code commentary: *As revised in the 2012 code, permits smaller PFEs in dwelling units of Group R-2 occupancies instead of larger PFEs in the common areas. Under the revised exception, the installation of 1-A:10-B:C PFEs within individual units allows apartment owners to eliminate their installation in common areas such as corridors, laundry rooms and swimming pool areas. PFEs in these areas are susceptible to vandalism or theft.*

Interior Surfaces (305.3 IPMC)

- Clean and sanitary conditions
- Free of peeling paint
- Free of cracked or loose plaster
- Defective surfaces

REMEMBER. . . Some repairs require building permits, such as structural repairs or renovation of existing space involving plumbing, electrical, or mechanical installations.

City of Columbia – Community Development Department - Office of Neighborhood Services

City Hall, 701 E. Broadway, Columbia, Missouri 65203

Phone: (573) 817-5050 Fax: (573) 874-7546 - neighborhood@GoColumbiaMo.com

Sanitary (307.1 IPMC)

- Free from any accumulation of rubbish or garbage

Stairs and Railings (305.4 IPMC)

Handrails and Guardrails (305.5 IPMC)

- Sound Condition • Good repair

Windows and Doors (305.6 IPMC)

- Easily opened
- Hardware
- **Doors** providing egress from a dwelling unit

shall be equipped with a **deadbolt lock** with a throw of not less than 1" and be able to operate without the use of a key, tool or special knowledge. (Doors for example, requiring deadbolt locks, would be hinged type doors such as front, rear, basement or attached garage entry which allows entry into the dwelling. The interior door between the garage and interior of the house would not need to have a deadbolt lock.)

- **Windows** with in 6' above the ground level or walking surface shall be provided with a **locking sash.**

Heating Facilities (601 IPMC)

- Capable of maintaining a room temperature of 65 degrees Fahrenheit
- Accumulation of debris around furnace
- Flue properly installed and in good repair

Electrical System (604 and 605 IPMC)

- Adequately sized
- Switches and outlets - working order, cover plates
- Lighting fixtures - working order, secure • Loose or frayed wires
- Excessive use of extension cords

Plumbing System (Chapter 5 IPMC)

- Plumbing fixtures - working order, free of obstructions and leaks, properly installed
- Water heater properly installed and in working order
- Sanitary drainage system in working order

Zoning Occupancy

- Occupancy meets the definition of Family as found in Chapter 29 of City Code and does not have more than three or four unrelated occupants for the zoning district.
- Occupancy disclosure must be included in your lease or a separate disclosure form must be signed by those on the lease to indicate that all parties are aware of the zoning district and the occupancy limitations.



CITY OF COLUMBIA, MISSOURI

OFFICE OF NEIGHBORHOOD SERVICES

APP# _____

APPLICATION FOR CERTIFICATE OF COMPLIANCE RENTAL UNIT CONSERVATION LAW

In accordance with Section 22.186 and 22.192 Ordinances of City of Columbia, Missouri – Updated 12/2014

DIRECTIONS ON BACK

New Application Renewal New Construction Transfer
 (With Without) (C.O. less than 6 months) (Purchased within the last 15 days)

Rental Property Address: _____ Date: _____

Application for new COC: Application fee for new applications, new construction or buildings renewing with inspection
 Inspection Fee – *new applications must pay both a building and per unit fee*
 No. of Buildings: _____ X \$60.00 = _____
 No. of Units: _____ X \$26.00 = _____
 Application fee for renewals not requiring an inspection
 No. of Buildings: _____ X \$43.00 = _____
 Application to Transfer – *properties must have passed inspection within the last 18 months to transfer*
 No. of Buildings: _____ X \$10.00 = _____
 Total Fees _____

Owner: _____ Daytime phone: _____

Address: _____
 (Street) (City & State) (Zip Code)

Operator: _____ Phone Number: _____

Agent: _____ Phone Number: _____

Address: _____
 (Street) (City & State) (Zip code)

Primary contact should be with (check one): Owner Operator Agent

Primary Contact Email _____ Cell Phone _____

PRESENT USE: Multi-Family Rooming House Two-Family Single-Family Single-Family Attached

Pre-manufactured housing [] Serial # _____ Park: _____ Lot # _____

DATE RENTAL USE ESTABLISHED: _____ ZONING CODE OF PROPERTY: _____

ALL APPLICATIONS MUST BE SIGNED AND ACCOMPANIED BY MECHANICAL CERTIFICATE AND CORRECT FEES

The undersigned hereby certifies that the information contained on the above application is true and correct to his/her best knowledge and belief, and the undersigned is either the owner of the property or has the authority to sign such application as the operator/agent on behalf of the owner.

_____ If Corporation: _____
 Owner President
 Secretary

The owner/operator/agent may sign the following consent form to allow the city inspector to have access to the premises in the absence of the owner/operator/agent:

CONSENT TO INSPECTION

I hereby consent and authorize the Director of Community Development, or designee, to enter upon and inspect the premises for which application is being made for the purpose of inspecting said premises to determine whether or not such premises is in compliance with Chapters 6, 9 (article II), 20, 23, 24, 25 and 29 of the City Code of the City of Columbia, Missouri for issuance of a certificate of compliance the Rental Unit Conservation Law.

Owner/Operator/Agent

Fees:

- **NEW APPLICATION or RENEWAL WITH INSPECTION** – Property entering the rental program for the first time or property with certificate due to expire (\$60.00 application fee per building *PLUS* \$26.00 inspection fee per dwelling unit or rooming unit.)
- **RENEWAL WITHOUT INSPECTION** (\$43.00 application fee per building) Property which was inspected at last renewal date and found to have no complaints since last renewal **AND** for which a current certificate exists.
- **NEW CONSTRUCTION with CERTIFICATE OF OCCUPANCY LESS THAN 6 MONTHS** - (\$60.00 application fee per building)
- **TRANSFER** - Property purchased within the last fifteen (15) days (Sec. 22-192) for which certificate of compliance is current. To qualify for a transfer, the property must have passed a city rental inspection within the last 18 months. The Certificate cannot be renewed without inspection upon expiration. (\$10.00 per building application fee)

POSSIBLE ADDITIONAL FEES:

- **REINSPECTION FEE - \$43.00** re-inspection fee per unit or rooming unit must be paid if violations are noted as a result of the inspection required by this application.
- A \$34.00 fee will be assessed when owner or owner's representative **fails to meet** with inspector at scheduled appointment time.

INSTRUCTIONS:

- ⇒ PLEASE PRINT OR TYPE
- ⇒ SUPPLY ALL INFORMATION REQUESTED ON FRONT OF APPLICATION.
- ⇒ (Forms not properly completed will be returned.)
- ⇒ PLEASE READ THE CONSENT TO INSPECTION PARAGRAPH
- ⇒ ZONING DESIGNATION MUST BE COMPLETED BY THE PROPERTY OWNER PRIOR TO SIGNING

Note on zoning compliance: Chapter 29 of City Ordinance defines a family as well as the number of unrelated people allowed to live together in one unit. No more than four unrelated people are allowed to live together in any part of Columbia; other zoning districts are restricted to three unrelated people. By applying for a Certificate of Compliance you are agreeing to comply with this ordinance. Failure to comply may result in prosecution.

Checks Payable to: **CITY OF COLUMBIA**

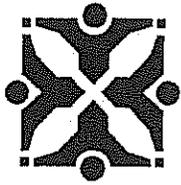
Mail application to: **DEPARTMENT OF COMMUNITY DEVELOPMENT
OFFICE OF NEIGHBORHOOD SERVICES
P O BOX 6015
COLUMBIA, MO 65205**

Or bring to the Service Center, 701 E. Broadway, 3rd floor.

HAVE YOU:

- [1] COMPLETED YOUR APPLICATION?**
- [2] ENCLOSED YOUR MECHANICAL CERTIFICATE?**
- [3] ENCLOSED THE CORRECT FEE?**
- [4] VERIFIED THE ZONING FOR EACH PROPERTY LISTED ON APPLICATION?**

**IF YOU HAVE ANY QUESTIONS CONCERNING THIS APPLICATION,
PLEASE FEEL FREE TO CALL OUR OFFICE AT 817-5050, neighborhood@GoColumbiaMo.com OR ONLINE AT
www.GoColumbiaMo.com/Neighborhoods.**



**Heating and ventilation systems
certificate of inspection and approval**

Per City Ordinance 22-186 (E)

**CITY OF COLUMBIA, MISSOURI
Office of Neighborhood Services**

This is the water heating, space heating, furnace, fireplace and ventilation system inspection certificate for rental property. Complete the top portion, and either the gas or electric section below. The water heating, space heating and ventilation system section (center section) must be signed by a licensed journeyman or master mechanic. The ORIGINAL SIGNED form must be returned with application, NO FAXED OR COPIED CERTIFICATES WILL BE ACCEPTED.

Rental Property Address: _____

Unit numbers, Apt, or Rm: _____

Owner's Name: _____

Owner's Address: _____

HEATING AND VENTILATION SYSTEMS CERTIFICATION

This is to certify that I, or a qualified representative of the company, have inspected the water heating, space heating and ventilation systems in the above premises and the systems are functioning properly and safely. This certificate is issued in association with obtaining a certificate of compliance.

Mechanical Contractor Name _____ Inspection Date _____

Contractor Address _____ Phone # _____

Mechanic Name (printed) _____ License # _____

Mechanics Signature _____

ELECTRIC HEATING AND VENTILATION SYSTEM CERTIFICATION

Heating systems which do not use gas for heating water or living areas do not require an inspection by a mechanic. The owner or agent for the rental property may complete and sign the spaces below for electric heating systems.

This is to certify that the water heating, space heating and ventilation systems at the above address are all electric.

Rental Property Owner/Agent (Printed name) Date _____

Rental Property Owner/ Agent (Signature)

Rental Housing Compliance

Rental Unit Conservation Law

The Rental Unit Conservation Law regulates the licensing, operation, standards and conditions for rental housing within the City of Columbia. This regulation specifies that all rental housing is issued a Certificate of Compliance. This certificate is a statement that the rental unit for which it was issued meets the general licensing ordinance, the Zoning Ordinance, the Property Maintenance Code and other applicable standards. It is unlawful to operate within the city any apartment house, rooming house, two-family dwelling, or a single rental unit without a current certificate of compliance.

Procedure for issuance of a certificate

1. Have the vented mechanical appliances, gas furnace, boiler, water heaters, etc., inspected and certified by a licensed heating, ventilation and air conditioning mechanic. You will need to arrange for this inspection with an HVAC contractor. Have the mechanic complete the HVAC certification form.
2. Apply for a rental certificate on the application form provided by the Office of Neighborhood Services. You must submit a completed HVAC certification form, the rental application and the required fees to the Office of Neighborhood Services.
3. After submitting your application and fees, you will be notified of your inspection date and time.
4. The inspector will meet you at the property for your inspection appointment. If there are no violations noted at the inspection the certificate will be issued.

© 2016 City of Columbia

Copy of
City of Sikeston, Missouri
Rental Inspection Ordinance

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)

Example of Housing Inspection Checklist

Housing Inspection Checklist

Electrical Panel

- *A. Service amp adequate for usage
- *B. Properly grounded and in good condition
 - C. All circuits labeled
- *D. If fuses- proper sizes
 - E. Adequate clearance and easy access

General Electrical

- *A. Covers on switches & outlets
- *B. Wire in conduit where required
- *C. GFCIs where required
- *D. Switches, outlets and fixtures operable
 - E. Minimum 2 spaced outlets in all rooms*
 - F. Adequate light fixtures, with globes as needed
 - G. Safe, limited use of extension cords
- *H. Exterior lines secure and free of hazards

Water Heater

- *A. Gas shut-off valve
- *B. Proper pop-off valve & drop pipe
- *C. Vent secured & properly pitched
- *D. Operable, with no visible or leaks
- *E. Adequate surrounding clearance

Furnace

- *A. Gas shut-off valve and electrical disconnect
- *B. Vent secured properly pitched and sized
- *C. Operable, provides minimum 68 degrees
- *D. Combustion Air
- *E. Adequate surrounding clearance

Laundry

- A. Metallic dryer vent to exterior with cover
- *B. Gas shut-off valve, capped if unused
 - C. Proper and grounded electrical connection

Sinks, Bathtubs & Showers

- A. Operable, with hot & cold water
- B. Functioning drains with proper traps
- C. No leaks or drips
- D. Garbage disposal operable if present

Toilets

- A. Operating properly
- B. Properly anchored to floor
- C. No leaks or continuous running

General Plumbing

- A. Installed correctly with no leaks
- B. Proper venting
- C. Functioning drains with proper traps & covers

Smoke Detectors

- *A. Properly installed and operable
- *B. Correct locations (all sleeping areas & each level)

Stairways

- A. Handrails if 4 or more steps
- B. Adequate Lighting
- C. Steps stable, unbroken & adequate strength

Rooms

- A. Walls, floors & ceilings intact & maintained
- B. No padlocks or interior key locks on doors
- C. Unobstructed egress within and out of home
- D. Adequate area
- *E. Fireplaces, wood stoves properly installed
 - F. No rubbish or garbage accumulation
- *G. Basement bedrooms have egress window
- H. Bedrooms and bathrooms have privacy doors

Windows

- A. Proper size for light & ventilation
- ** B. Proper size for egress and lockable
- C. Operable & Glazing not broken or cracked
- D. Bathrooms need adequate venting to control moisture

Exterior Doors

- A. Proper for egress and lockable
- B. Weather tight, operable & unbroken

Building Exterior

- A. Peeling, flaking, or chipped paint
- B. Roof waterproof & maintained
- C. Walls, foundations, chimney maintained
- D. Porches solid & maintained
- E. Guardrails on porches, decks over 30" high
- F. Handrails if 4 or more steps
- G. No openings for rodent or other pest
- H. House numbers 4" readable from street

Garage

- A. Proper elec. Service, wiring fixtures, etc.
- B. Structure solid & maintained
- C. Fire rate door between garage and living space

Yard

- A. Fences built to code & maintained
- B. Grass, shrubs, trees maintained
- C. Accessory buildings maintained
- D. No illegal vehicles or illegal parking
- E. No trash, litter, debris, car parts or garbage
- F. No unsafe or unsanitary conditions (pet waste etc.)

* Fire and Safety issues

The correction of other violations will be provided a reasonable time for repairs not to exceed 60 days.

** Windows in sleeping rooms must meet egress standards. The opening of a window has to be a min. of 5.7 Sq ft. if more than 44 inches off ground inside and out. 5.0 Sq ft if less than 44 inches off ground inside and out.