Motion to Amend 7-1-1 (RY + JB)
Passed: 6-3 (JB, DS, RY)

ORDINANCE 98-09

TO AMEND TITLE 16 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "HOUSING INSPECTION"
Re: Section 16.12.060 (Registration of Rental Units Required) and Section 16.12.070 (Inspection--Right of entry--Fees)

WHEREAS, the municipal code allows the inspection of each rental unit and premises within the city by the Neighborhood Development Division of the Housing and Neighborhood Development Department (HAND); and

WHEREAS, Title 16 of the Bloomington Municipal Code set forth the fees which can be charged to complete said inspections, and the time periods and reason that a property may receive an occupancy permit for a rental unit; and

WHEREAS, the City wishes to clarify the criteria under which a rental unit is given a three-, four- or five-year occupancy permit; and

WHEREAS, the City wishes to encourage landlords and their agents to exercise greater diligence in maintaining current occupancy permits on rental property;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA THAT:

SECTION 1. Section 16.12.060 Registration of rental units required (a)(2), shall be amended to add the word "Street"in front of the wording , "Address of owner".

SECTION 2. Section 16.12.070 Inspection--Right of entry--Fees, Subsections (a)(2), (b), (c), and (d) shall be deleted in their entirety and replaced with the following:

(a)

(2) No rental unit having a current occupancy permit shall be inspected in good faith more often than is required for the renewal of the occupancy permit, unless a request for inspection is made as provided in subsection (e) of this section. When a rental unit passes a regularly scheduled cycle inspection, or a complete off-cycle inspection it shall receive an occupancy permit according to the plan and criteria below:

(b) Three-year Permit. A unit shall receive a three-year occupancy permit if any of the subsections below applies:

(1) If the unit has received life-safety variances;

(2) If the owner fails to schedule a cycle inspection prior to the expiration of the unit's occupancy permit;

(3) If a unit has been inspected and the HAND inspector has issued a report citing violations, and the owner fails to have the unit reinspected and found in compliance with the property maintenance code, excluding exterior painting requirements, within 60 days after the inspection report citing violations was mailed to the owner or agent;

(4) If the owner fails to satisfy all outstanding fee assessments within thirty days from the date of billing.

(c) Four-year permit. A unit shall receive a four-year permit if both of the conditions below apply:

(1) The inspection uncovers no violations, or all violations cited on a cycle inspection report, excluding exterior painting requirements, are satisfactorily corrected within 60 days after the report was mailed to the owner or agent, and

(2) The owner satisfies all outstanding fee assessments within thirty days from the date of billing.

However, if the unit qualifies under (d)(2) below, a five-year permit shall be issued.

(d) Five-year permit. A unit shall receive a five-year permit if:

(1) The rental unit is new construction and the inspection uncovers no

violations or all violations cited on a cycle inspection report, excluding exterior painting requirements, are satisfactorily corrected within 60 days after the report was mailed to the owner or agent, and the owner satisfies all outstanding fee assessments within thirty days from the date of billing, and HAND has issued a rental occupancy permit prior to occupancy of the unit; or

(2) The unit's occupancy permit at the time of reinspection for permit renewal had been a four-year permit, and the reinspection uncovers no violations or all violations cited on the reinspection report, excluding exterior painting requirements, are satisfactorily corrected within 60 days after the report was mailed to the owner or agent, and the owner satisfies all outstanding fee assessments within thirty days from the date of billing.

SECTION 3. Section 16.12.070 Inspection--Right of entry--Fees, Part (f), shall be amended to delete the words "twenty-five dollars" and to add the words "thirty" dollars.

SECTION 4. Section 16.12.070 Inspection--Right of entry--Fees, Part (g) shall be deleted in its entirety and replaced with the following:

(g) The fee for inspecting a single-unit dwelling shall be Fifty dollars ($50.00). The fee for inspecting a rooming house shall be Forty dollars ($40.00) per building, plus Ten dollars ($10.00) per bathroom/toilet facilities in the building. The fee for inspecting all other unit/building configurations shall be Forty dollars ($40.00) per building, plus Ten dollars ($10.00) per unit in the building.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 25 day of March, 1998.

Timothy Mayer
TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 26 day of March, 1998.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 26 day of March, 1998.

J Fernandez
JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance makes changes to the fee schedule for rental inspections to be more consistent with the actual cost of providing the service to the public. It also requires the owner of rental property to file his or her street address, which is necessary for service of process in legal actions. In addition, the ordinance also clarifies the conditions under which the three, four, and five year rental occupancy permits can be obtained. *Note: Section 4 of the ordinance was amended to establish a separate inspection fee for rooming houses.*

Signed copies to:
Clerk
CA/CA
IUMC
HT Legal Ad
Legal 5
HAND
Code Enf