

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 84 - 2017

NOVEMBER 15, 2017

AN ORDINANCE

Amending Article 1760.99 – Buyer Notification Inspection of Residential Properties and Units Fees, proposing that the \$100 fee include up to three units, adding a \$25 per unit fee for each unit over three, increasing the presale re-inspection fee from \$35 to \$75 and establishing a \$150 per unit fee for the third and subsequent re-inspection.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the Fees portion of Section 1760.99, Allentown Codified Ordinances, be amended as follows:

1760.99 Fees/Penalties

A. All fees must be paid prior to scheduling inspections or re-inspections, except upon application to the Bureau of Building Standards and Safety providing sufficient proof of economic hardship, in which case, such fees shall be paid at time of transfer or sale. Fees for inspections made pursuant to these requirements shall be:

1. \$100 per property up to and including three (3) units. An additional Twenty-Five (\$25) Dollars will be charged for each unit over three (3). This fee includes one (1) re-inspection.
2. ~~\$35 per each additional re-inspection.~~ Seventy-Five (\$75) Dollars for each second presale re-inspection fee per unit.
3. One Hundred Fifty (\$150) Dollars for each third and subsequent presale re-inspection fee per unit.

B. Fees for inspection shall be amended from time to time, no more frequently than annually, after a public hearing and with approval of City Council.

C. Penalties

Property owners who violate any provisions of this Article shall be subject to a minimum fine as follows:

1. First violation: Written Notice of Violation
2. Second Violation: A fine of Five Hundred (\$500.00) dollars.
3. Third violation: A fine of Seven Hundred Fifty (\$750.00) dollars
4. Fourth and each subsequent violation thereafter shall be a fine of One Thousand (\$1,000.00) dollars (14737 §1 8/24/2009)

SECTION TWO: That this Ordinance takes effect on January 1, 2018.

SECTION THREE: That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance be and the same are hereby repealed.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Community and Economic Development, Bureau of Building Standards and Safety - Presales Code Enforcement

- **Summary and Facts of the Bill**

The Department is requesting to amend Ordinance 14561, at Article 1760.99 -Fees.

Currently a presales inspection is a \$100.00 flat fee with one (1) re-inspection fee included. This Amendment Proposal is to increase those fees to \$100.00 for the first three (3) units and charge an additional \$25.00 for every unit thereafter.

If a re-inspection is needed on any unit after the first re-inspection, the current fee of \$35.00 is proposed to increase to \$75.00 per unit for the second re-inspection and \$150.00 per unit for the 3rd and all subsequent re-inspections.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City’s Vision/Mission/Priorities**

This increase in fees is necessary to run the Presale Program more effectively.

Some of the apartment complexes have over 100 units and we are currently only charging a \$100.00 flat fee for the entire complex. If we have to go back for failed units multiple times we are only charging \$35.00 each time, we wish to increase that to \$75.00 per unit for the second re-inspection and \$150.00 per unit for the 3rd and all subsequent re-inspections to insure compliance sooner.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

There is no additional cost to the City but increasing our fees would allow us to run the Presale Program more efficiently. We receive approximately 1600 presale inspections annually in the City of Allentown with 3 Presale Inspectors to manage the work load.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

We wish to have this fee increase in place for the 2018 year.

- **Why should Council unanimously support this bill?**

It fairly charges for the inspector's time if inspecting multi-unit facilities. It also fairly charges for re-inspections if the owner does not comply.