

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 20 - 2019

FEBRUARY 6, 2019

AN ORDINANCE

Amending Article 1759, Licensing Residential Rental Units, Section 1759.99 Fees/Penalties and Article 1760.99 Fees/Penalties, Pre-Sales Inspection of Residential Properties and Units by adding a fee of One Hundred (\$100) Dollars for cancelling a scheduled inspection with less than Forty-Eight (48) hour notice for the first three (3) units and Twenty-Five (\$25) for each unit thereafter.

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

SECTION ONE: That City Council authorizes the following change to the Section 1759.99 Fees/Penalties of Article 1759, Licensing Residential Rental Units:

1759.99 FEES/PENALTIES SECTION

A. FEES

1. Registration:

The fee for a Residential Rental Registration shall be Seventy-five Dollars per residential rental unit per year due and payable by on or before December 31st of each year until a Residential Rental License is obtained. (14047 §1 12/10/02 14219 §1 10/21/04; 14436 §1 11/7/06; 14737 §1 8/24/2009; 14753 §1 11/18/09; 15468 §1 8/1/2018)

For all payments received after December 31st of any year, a late fee shall be assessed, such that the total fee shall be One Hundred Twenty-Five (\$125) Dollars per residential rental unit. (14219 §1 10/21/04; 14436 §1 11/7/06; 15468 §1 8/1/2018)

2. Licensure:

The fee for a Residential Rental License or License shall be Seventy-five (\$75.00) Dollars per residential rental unit per year due and payable on or before December 31st of each year. (14047 §1 12/10/02 14219 §1 10/21/04; 14436 §1 11/7/06; 15468 §1 8/1/2018)

For all payments received after December 31st of any year, a late fee shall be assessed, such that the total fee shall be One Hundred Twenty-Five (\$125) Dollars per residential rental unit. (14219 §1 10/21/04; 14436 §1 11/7/06; 14744 §1 10/20/09; 15468 §1 8/1/2018)

3. Re-inspections:

The fee for the second re-inspection shall be Seventy-five (\$75) Dollars per residential unit. The fee for the third and all subsequent re-inspections shall be One Hundred Fifty (\$150) Dollars per residential rental unit per re-inspection. (14436 §1 11/7/06)

4. Inspection Cancellation Fee:

Cancellation of an inspection requires Forty-Eight (48) hour notice. When Forty-Eight (48) hour notice is not given a fee of One Hundred (\$100) Dollars for the first three (3) units and then an additional Twenty-Five (\$25) per unit for each unit thereafter.

5. Reinstatement:

The fee to reinstate a revoked Residential Rental Registration or a Residential Rental License shall be One Hundred (\$100) Dollars per residential rental unit. (14047 §1 12/10/02; 14436 §1 11/7/06; 14737 §1 8/24/2009)

SECTION TWO: That City Council authorizes the following change to the Section 1760.99 Fees/Penalties of Article 1760, Pre-Sales Inspection of Residential Properties and Units:

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. (15404 §1 12/6/2017)
2. Seventy-Five (\$75) Dollars for each second presale re-inspection fee per unit. (15404 §1 12/6/2017)
3. One Hundred Fifty (\$150) Dollars for each third and subsequent presale re-inspection fee per unit. (15404 §1 12/6/2017)

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)

D. Inspection Cancellation Fee:

Cancellation of an inspection requires Forty-Eight (48) hour notice. When Forty-Eight (48) hour notice is not given a fee of One Hundred (\$100) Dollars for the first three (3) units and then an additional Twenty-Five (\$25) per unit for each unit thereafter.

SECTION THREE: That this Ordinance will take effect ten (10) days after final passage.

SECTION FOUR: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

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

Building Standards & Safety - Code Enforcement

- **Summary and Facts of the Bill**

An Ordinance to allow for the charge of a cancelled Inspection if less than 48 hours notice is given of the cancellation.

- **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**

To establish an ordinance to hold owners more accountable for their properties by keeping schedule inspections. This in turn will help keep the properties up to code and avoid down time by the Inspectors.

This will reduce the number of uninspected properties units. With a 48 hour notice it would give the inspector time to work on re-inspections for compliance.

The priority of the department is the Public's Health, Safety and Welfare. Our vision to accomplish this is to have properties inspected and complied as often as required by City Ordinance. This vision becomes difficult to accomplish with last minute cancellations. Our mission is to achieve this goal in a timely manner with as little interruption as possible.

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

There is no initial or ongoing costs associated with this bill. It is designed to deter owners from missing scheduled inspections.

There are many benefits to this bill, the first is faster compliance of properties within the City which helps with the Public's Health, Safety and Welfare. The second benefit is a decrease in the amount of down time by the inspectors from last minute cancellations. The third benefit is an increase in revenue. We are looking to establish the following cancellation fee schedule. The fee for the first three units would be \$100.00 and then an additional \$25.00 per unit for units with 4 more. Reinspection fees would still apply when necessary. The end goal is to have compliance.

- **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 would like this to be in place in 2019.

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

By enacting this Bill it would allow the inspectors to minimize their down time by contacting other owners in regards to re-inspections for compliance.