

## TITLE VII SPECIAL

### ORDINANCES CHAPTER 4 PROPERTY MAINTENANCE CODE

#### **SECTION 1. ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018.**

That a certain document, one (1) copy of which is on file in the office of the City Clerk of the City of Keota, being marked and designated as "International Property Maintenance Code, 2018" as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the City of Keota, in the State of Iowa; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code, 2018, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**SECTION 2.** The following sections of the International Property Maintenance Code, 2015, adopted by reference herein, are hereby revised:

Section 101.1	Insert	"City of Keota, Iowa"
Section 112.4	Insert	\$250.00; \$500.00
Section 302.4	Insert	Six (6) inches in height
Section 304.14	Insert	April 1 through October 1
Section 602.3	Insert	November 1 through April 1
Section 602.4	Insert	November 1 through April 1

#### **SECTION 3. RESIDENTIAL RENTAL ORDINANCES.**

##### **6-25-901 DWELLING UNIT REGISTRATION**

All dwelling units let for occupancy or let (also referred herein as "residential rental real estate") shall be required to register with the building official within thirty (30) days of conversion of any owner occupied real estate to residential rental real estate.

##### **6-25-902 EXEMPTIONS FROM REGISTRATION AND RENTAL PERMIT**

The registration and rental permit herein required shall not apply to the following residential rental real estate:

1. A dwelling unit that is occupied by the grantor(s) of a revocable trust that is the record title holder of the real estate, or
2. A dwelling unit occupied by a minister or priest in the course of his or her duties as the faith leader of a record title holder.
3. A dwelling unit that is the subject of a contract for sale of real estate that has been filed of record with the Office of the County Recorder.

### **6-25-903 APPLICATION FOR RENTAL PERMIT**

The owner or operator of any residential rental real estate shall file an application for a rental permit with the city clerk. The application must include the following:

1. Name and contact information of the owner;
2. Legal description and address of the subject property;
3. The name and contact information of any mortgagee or holder of any other lien or encumbrance of record, any contract buyer, and the tenant;
4. Any additional information as required by the building official.
5. Rental Permit Fee of \$50.00 due in September. Rental Permits are valid for one calendar year from issuance.

### **6-25-904 ISSUANCE OF RENTAL PERMIT**

If the building official determines that all applicable provisions of this chapter have been complied with, or a variance or modification allowed, a rental permit shall be issued to an owner or operator upon payment of the required fees.

### **6-25-905 RENTAL PERMIT REQUIRED**

No residential rental real estate may be let or otherwise occupied unless a rental permit has been issued and has not expired therefor. In the event that a record title holder, contract buyer or agent shall fail to obtain the required rental permit provided for herein, the building official may order the residential rental real estate vacated and shall serve notice therefor upon the record title holder, contract buyer and agent of the residential rental unit, as well as the tenant. Failure to obtain a rental permit shall also serve as a basis for refusal to provide water service or to discontinue water service. Any disconnection and/or reconnection of water service due to failure to secure a rental permit provided herein shall subject the account holder to the disconnection and reconnection fees provided in Keota Municipal Code Section 6-4-5. A record title holder, contract buyer and/or agent who allows a tenant to occupy rental real estate without having secured a rental permit shall be guilty of a simple misdemeanor or municipal infraction and each day a tenant occupies the rental real estate in violation of this ordinance shall be a separate and distinct violation.

### **6-25-906 PUBLIC RECORD**

The issuance of a rental permit shall be a public record and information pertaining to said permits shall be available for public inspection.

### **6-25-907 FAILURE TO REGISTER**

Failure to register as required shall be a simple misdemeanor or municipal infraction and each day after the deadline that a residential rental unit remains unregistered is a separate and distinct violation.

### **6-25-908 APPOINTMENTS FOR INSPECTIONS**

Appointments for inspections with the owner or operator shall be scheduled by the city. The owner or operator may request the appointment to be rescheduled. However, the inspection shall be performed within thirty (30) days of the original date. An owner or operator shall be

required to arrange for access to all areas of a structure to be inspected. Failure to provide access to all areas of the structure will not satisfy the inspection requirement and shall require a re-inspection of the residential rental real estate. The owner or operator shall provide notice to the tenant of the inspection appointment according to the requirements of Iowa Code Chapter 562A.

#### **6-25-908 NOTICE ON SALE OF RESIDENTIAL RENTAL REAL ESTATE**

Every person holding a rental permit as provided in this chapter shall provide notice to the building official within thirty (30) days after having sold, transferred, conveyed, or otherwise disposed of their ownership of the residential rental real estate relating thereto. The notice shall include the name and contact information for the new owner. In addition, the seller or transferor thereof shall provide to a prospective buyer the current status of the rental permit for the dwelling unit and comply with the requirements of Section 107.5 of this chapter.

**SECTION 4. REPEALER.** That Ordinance No 221 of the City of Keota, Iowa, entitled “An Ordinance Approving the Adoption of the International Property Maintenance Code as Published by the International Code Council, Inc.” and all other ordinances or parts of ordinances in conflict herewith are repealed.

**SECTION 5. SEVERABILITY CLAUSE.** That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of Keota, Iowa, hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 6. EFFECT ON EXISTING PROCEEDINGS.** Nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance. Any property not having established its compliance and issuance of a rental permit thereby under the repealed ordinance shall be subject to the appropriate provisions of the newly adopted ordinance herein upon adoption. Any rental permit issued under the repealed ordinance shall serve to establish compliance under the ordinance adopted herein until the expiration of the rental permit issued in relation thereto.

**SECTION 7. CERTIFICATION BY CLERK.** Pursuant to Iowa Code Section 380.11, the Clerk shall certify this Ordinance to the Keokuk County Recorder.

**SECTION 8. WHEN EFFECTIVE.** This ordinance shall be in effect on July 1, 2020 and after its final passage, approval and publication as provided by law

Passed and approved by the Keota City Council on the 18<sup>th</sup> day of February, 2020.