

ORDINANCE NUMBER 157

AN ORDINANCE AMENDING ORDINANCE NO. 110
(RENTAL HOUSING CODE)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS,
JOHNSON COUNTY, IOWA:

University Heights Ordinance No. 110 is amended as follows (with additions indicated by underline and deletions indicated by ~~strike through~~):

110.02 DEFINITIONS. For the purpose of this code only, certain words and/or terms used herein shall be defined as follows:

18. "Owner" means any person who alone or jointly or severally with others:

C. Is a Designated Agent as provided in Section 110.22.

110.03 CONFLICTS. In cases where the provisions of this code are found to be in conflict with provisions of any zoning, building, fire, safety or health ordinance or code of the City, the provisions which establish the higher standards for the promotion and protection of the health and safety of the people shall prevail. In cases where the provisions of this code are found to be in conflict with the provisions of any ordinance or code of the City which establish lower standards for the promotion and protection of health and safety, the provisions of this code shall be deemed to prevail, and such ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this code. If any section, provision or part of this code shall be adjudged to be invalid or unconstitutional, this determination shall not affect ~~effect~~ the validity of this ~~the~~ code as a whole or any section, provision or part of this code not determined to be invalid or unconstitutional.

110.05 STRUCTURE COMPLIANCE AND RENTAL PERMIT PROCEDURES.

6. Application for Rental Permit. The owner or operator shall file, in duplicate, an application for rental permit with the City Council or its designee on application forms provided by the inspector. The application shall require the owner to list the names

of each tenant. In the event tenants move from or into a dwelling during the course of the rental permit, the owner shall provide updated tenant identities to the City within 21 days of the change in any tenant identity. Failure to provide tenant identification or updated identification constitutes a violation of this code and a basis for denying or revoking a rental permit.

9. Revocation of a Rental Permit. The Council shall consider the revocation of a rental permit if petitioned by the inspector or any other individual who believes that there exists grounds for revocation. The owner or operator of the affected property shall be properly notified of the petition for revocation and shall be notified of the date, place and time of the Council's consideration of the petition and may appear and defend. The Council may revoke a rental permit upon a finding of a violation of or failure to comply with any provision of this code. ~~Sections 110.20 or 110.21~~

110.11 NOTICE OF VIOLATION. Whenever the inspector determines that any dwelling, dwelling unit or rooming unit, or the premises surrounding the same, fails to meet the requirements set forth in Sections 110.19, 110.20, and/or 110.21 this code or in applicable rules and regulations issued pursuant hereto, the inspector may ~~shall~~ issue a notice setting forth the alleged failures and advising the owner, tenant, occupant, operator or agent thereof that such failures must be corrected.

110.22 DESIGNATION AND REGISTRATION OF AGENT. The owner of any dwelling, dwelling unit, rooming house, or rooming unit not residing in Johnson County, Iowa shall designate and register with the University Heights City Clerk a designated agent located in the county who is empowered to represent the property owner in matters concerning compliance with this code. Failure to register a designated agent is a violation of this code.

110.23 LEASE TO BE PRODUCED UPON REQUEST. Every owner shall produce a copy of any written lease concerning the dwelling at the request of the inspector or the University Heights City Clerk. The lease shall be delivered to the requesting party within seven calendar days of the date the request is made.

110.24 ENFORCEMENT AND PENALTIES. In addition to the Notice of Violation procedure set forth in Sections 110.11-110.18, any violation of this code may be cited as a municipal infraction. In addition to the inspector, the University Heights City Clerk is authorized to enforce this code and may issue a civil citation

to anyone who violates any section or provision of this code. A violation of this code is punishable by a civil penalty of \$250.00 for a first offense and a civil penalty of \$500.00 for a repeat offense.

110.25 ~~22~~ EFFECTIVE DATE. This code shall be in full force and effect upon its passage and publication as provided by law.

This amendment shall become effective upon its passage and publication as provided by law.

Adopted by the University Heights City Council this 8th day of May, 2007, and approved this 8th day of May, 2007.

_____/S/_____
Louise From, Mayor

(SEAL)

ATTEST: _____/S/_____
Jerry Musser, City Clerk