Re: 781

ORDINANCE NO. 761

AN ORDINANCE AMENDING SECTION 6(a); DELETING SECTION 7; AMENDING SECTIONS 9(a), 10, 11(a); DELETING 11(b); AMENDING SECTION 16(a) AND DELETING SECTIONS 16(b) and 16(d) OF ORDINANCE NO. 684 OF THE CITY OF REXBURG, IDAHO, REQUIRING AN INSPECTION OF RENTAL DWELLINGS AT LEAST ONCE EVERY FOUR YEARS; PROVIDING FOR A FEE FOR INSPECTION; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION I. That Section 6 of Ordinance No. 684 of the City of Rexburg, Idaho, is hereby amended to read as follows:

Section 6: Inspection required.

(a) All multi-family dwellings, boarding houses, rooming houses, lodging houses, tourist houses, hotels that rent to permanent residents and dormitories shall be inspected for compliance with this ordinance and all other applicable laws prior to being issued a certificate of inspection.

SECTION II: That Section 7 of Ordinance No. 684 shall be amended to read as follows:

Section 7: Frequency of inspections

All rental dwellings subject to this section shall be inspected at any time at the discretion of the city.

SECTION III: That Section 9 of Ordinance No. 684 of the City of Rexburg, Idaho, is hereby amended to read as follows:

"SECTION 9: Inspection procedure.

(a) If, upon completion of the inspection, the premises are found to be in compliance with all applicable city codes and ordinances and the appropriate fee has been paid, the city shall issue a certificate of inspection for the premises.

(b) If, upon completion of any inspection, the premises are found in violation of one or more provisions of applicable city codes and ordinances, the city shall provide written notice of such violation and shall set a reinspection date before which such violation shall be corrected. If such violation has been corrected within that period, the

city shall issue a certificate of inspection for the premises. If such violations have not been corrected within that period, the city shall not issue the certificate of of inspection and may take any action necessary to enforce compliance with applicable city codes and ordinances. If such uncorrected violations do not pose an immediate threat to the health, safety and welfare of the occupants, the City Building Inspector may authorize the occupancy of the premises for a period not to exceed 90 days."

SECTION IV: That Section 10 of Ordinance No. 684 of the City of Rexburg, Idaho is hereby amended to read as follows:

SECTION 10: Request for inspection.

"The owner or any person occupying any dwelling subject to the provisions of this ordinance may request inspections of said dwelling at any time."

SECTION V: That Section 11 (b) of Ordinance No. 684 of the City of Rexburg, Idaho is deleted and Section 11 (a) of Ordinance No. 684 of the City of Rexburg, Idaho is hereby amended to read as follows:

SECTION 11: Certificate expiration.

"(a) The certificates of inspection issued pursuant to this ordinance shall expire when the defined use according to this statute changes or when deficiencies are found to exist at the time of any subsequent inspection."

SECTION VI: In Section 12, the word "city manager" shall be changed to "city building inspector" wherever such phrase occurs.

SECTION VII: That Section 16 (a) of Ordinance No. 684 of the City of Rexburg, Idaho, is hereby amended to read as follows:

SECTION 16: Fees.

"(a) A minimum fee of $30.00 plus $30.00 per hour for any time exceeding one hour will be charged for each inspection. The inspection fee will be paid by the property owner if deficiencies are found to exist. If no deficiencies are found to exist, then the person requesting the inspection shall be responsible for payment of the inspection fee.

Sections 16 (b) and (d) shall be deleted.

SECTION VIII: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION XI: This ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED AND APPROVED this 7th day of September, 1994.

Nile L. Boyle

Nile L. Boyle, Mayor

ATTEST:

Rose Bagley

Rose Bagley, City Clerk

(SEAL)

STATE OF IDAHO)
: ss.
County of Madison)

I, ROSE BAGLEY, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the ordinance entitled:

> AN ORDINANCE AMENDING SECTION 6(a); DELETING SECTION 7; AMENDING SECTIONS 9(a), 10, 11 (a); DELETING SECTION 11(b); AMENDING SECTION 16 (a) AND DELETING SECTIONS 16(b) and 16(d) OF ORDINANCE NO. 684 OF THE CITY OF REXBURG, IDAHO, REQUIRING AN INSPECTION OF RENTAL DWELLINGS AT LEAST ONCE EVERY FOUR YEARS; PROVIDING FOR A FEE FOR INSPECTION; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

passed by the City Council and approved by the Mayor this 7th day of September, 1994.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, this 7th day of September, 1994.

Rose Bagley

City Clerk

(SEAL)