

ORDINANCE NO. 14-22

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bill Serr ON THE 6th DAY OF June, 2022.

AN ORDINANCE TO AMEND SECTION 840.01, RESIDENTIAL RENTAL UNIT MANDATORY INSPECTION REQUIRED, OF THE MUNICIPAL CODE OF THE CITY OF CENTERVILLE, OHIO.

PREAMBLE AND PURPOSE

WHEREAS, the City of Centerville has enacted regulations in the Centerville Municipal Code to require rental unit inspections within the City; and

WHEREAS, the City intends to revise and update this section of the City's regulations to exemption new rental units from the biennial inspections.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following amendment to Section 840.01 of the Centerville Municipal Code is hereby enacted as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

840.01 RESIDENTIAL RENTAL UNIT MANDATORY INSPECTION REQUIRED.

(a) The owner or operator of a premises with a residential rental unit shall have the interior and exterior of the premises, its structures and its rental units inspected biennially, to determine compliance with the Property Maintenance Code and Zoning Code. *The owner or operator of a newly constructed residential building with rental units will be exempt from the biennial inspection until five (5) years after the date of the residential unit's first Certificate of Occupancy was issued for each residential building or unit.*

(b) The owner or operator of a premise with a rental unit is subject to have the interior and exterior of the premises, its structures and its rental units inspected prior to the biennial inspection under any of the following circumstances:

(1) If two or more notices and orders to comply have been issued to the owner or operator pursuant to any section of this chapter relating to the violation of any sections of the codes set forth in this section, within any two-year period, concerning the same premises, and have not been complied with within the time provided in the notices and orders to comply, the premises that was the subject of the notices and orders to comply shall be subject to mandatory inspections as specified in this section; or

(2) If the owner or operator has been convicted of a violation of any sections of the codes set forth in this section, all premises and structures with a rental unit that the owner owns or that the operator operates shall be subject to mandatory inspections as specified in this section; or

(3) If the owner or operator has had a premises ordered razed by the Code Official, all premises and structures with a rental unit that the owner owns or that the operator operates shall be subject to mandatory inspections as specified in this section; or

(4) In response to a complaint of an alleged violation of any of the provisions of this chapter or the provisions of the applicable City codes; or

(5) The failure of the owner to file with the County Auditor the information required by Ohio R.C. 5323.02.

(c) A notice and order to comply that is outstanding on or after September 28, 2006, or that is issued subsequent to September 28, 2006, may constitute an uncomplained notice and order to comply for purposes of enforcement of the mandatory inspections required by division (b)(1) of this section.

(d) A conviction that was obtained on or after September 28, 2006 shall constitute a conviction for purposes of enforcement of the mandatory inspections required by division (b)(2) of this section.

(e) A raze order that the Code Official issued on or after September 28, 2006 shall constitute a raze order for purposes of enforcement of the mandatory inspections required by division (b)(3) of this section.

(f) No owner or operator of a premises with a rental unit shall fail to obtain a rental unit mandatory inspection from the Division of Inspection when the provisions of this section require a rental unit mandatory inspection.

(g) No fee shall be required for the biennial mandatory inspection.

(h) A rental unit mandatory re-inspection fee of seventy-five dollars (\$75.00) per hour for each re-inspection subsequent to the first inspection shall be paid.

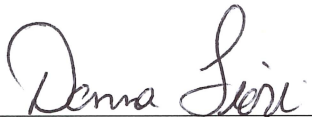
Section 2, This ordinance shall be effective from and after the earliest date allowed by law.

PASSED THIS 6th day of June, 2022.



Mayor of the City of
Centerville, Ohio


ATTEST:



Clerk of Council (Acting)
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 14-22, passed by the Council of the City of Centerville, Ohio on the 6th day of June, 2022



Clerk of the Council (Acting)

Approved as to form, consistency with the
Charter and Constitutional Provisions.
Department of Law
Scott A. Liberman
Municipal Attorney