



City of Chesapeake

Office of the City Attorney
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June 8, 2005

The Honorable Mayor, Vice-Mayor,
and City Council Members

Re:

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE IV, OF THE CHESAPEAKE CITY CODE, ENTITLED, "BUILDINGS AND BUILDING REGULATIONS," AMENDING SECTIONS 14-111 THROUGH SECTIONS 14-119 THEREOF, AND ADDING SECTION 14-120 THERETO, TO MAKE TERMINOLOGY CHANGES TO THE RENTAL INSPECTION PROGRAM AS REQUIRED BY STATE LAW AND TO CHANGE THE BOUNDARIES OF THE EXISTING RENTAL INSPECTION DISTRICT TO ADD CERTAIN CENSUS TRACT NUMBERS, DELETE CERTAIN OTHER CENSUS TRACT NUMBERS, TO REQUIRE OWNERS OF DWELLING UNITS WITHIN SUCH DISTRICTS TO NOTIFY THE CITY'S DEPARTMENT OF NEIGHBORHOOD SERVICES IN WRITING IF THE DWELLING UNIT IS USED FOR RESIDENTIAL RENTAL PURPOSES, TO DELETE CURRENT EXEMPTIONS FROM THE PROGRAM AND ESTABLISH OTHER EXEMPTIONS, TO REQUIRE PERIODIC RENTAL INSPECTIONS BY THE CITY WITHIN THIRTY DAYS OF THE SALE OF SUCH UNIT, TO REQUIRE IN THE CASE OF MULTIFAMILY DEVELOPMENTS OF MORE THAN TEN UNITS THE INITIAL INSPECTION OF 10%, OR A MAXIMUM OF TEN UNITS, INCLUDING THE EXTERIOR AND PUBLIC AREAS OF THE COMPLEX, WITH SUBSEQUENT INSPECTIONS ANNUALLY OF NO MORE THAN TEN UNITS, TO PROVIDE FOR FOLLOW-UP INSPECTION REQUIREMENTS, TO DELETE THE REQUIREMENT FOR AUTOMATIC INSPECTIONS BY THE CITY AFTER TWO YEARS OF THE OWNER NOT HAVING THE UNIT INSPECTED, AND TO ESTABLISH A FEE SCHEDULE FOR REQUIRED INSPECTIONS

This ordinance, containing revisions to the City's rental reinspection, program is being presented as a result of changes made by the 2005 General Assembly to the state code. The changes were a result of a long series of discussions by residential rental industry and state and local representatives. As required by state law, this matter has been advertised as a public hearing item.

*"The City of Chesapeake adheres to the principles of equal employment opportunity.
This policy extends to all programs and services supported by the City."*

This office has coordinated these changes with the City's Department of Neighborhood Services and it is believed that the new ordinance will be easier to understand and enforce. The key changes are as follows:

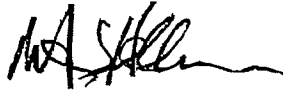
- Based on the criteria in the state legislation, the Rental Inspection Areas have been expanded.
- The owners of residential rental property must notify the city of rental addresses within the Rental Inspection Areas.
- A periodic inspection is required on each rental unit within the Rental Inspection Area. If the unit is inspected and found to be free of violations, a Certificate of Exemption is issued and periodic inspection will not be required for four years. If, however, violations of the Property Maintenance Code are revealed during the periodic inspection, follow up inspections will take place until the violations are resolved. At that time, a Certificate of Approval will be issued. This certificate is good for one year. Periodic inspections will continue on an annual basis until the unit is found to be maintained free of violations. When a periodic inspection reveals that the unit has been maintained in compliance, the Certificate of Compliance (four years) will be issued.
- If a multifamily development contains more than ten (10) units, only 10% of the units must be inspected periodically. For multifamily developments containing more than 100 units, only ten units will be inspected per year. The same criteria apply to the multifamily development that applies to the single units above. If violations exist that affect safe and sanitary conditions, follow up inspections will continue until the units are safe. At that time the one year Certificate of Compliance will be issued. If no violations are observed during the periodic inspection, the four year Certificate of Exemption is issued. If, however, violations persist in a multifamily development, the inspections will continue without limit until the complex is deemed safe and sanitary.
- A periodic inspection is also required within thirty days of the sale of a rental dwelling.
- The proposed fees for the inspections have not changed. The fee for a periodic (initial) inspection is \$35. The fee for the first follow up (reinspection) is \$10. The fee for the subsequent inspection(s) is \$50.

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Based on the proposed changes, inspections will no longer be required at the change of tenants. The structure can now be occupied during inspection.

Representatives of the Department of Neighborhood Services will be in attendance to answer any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Hallman', written over a horizontal line.

Ronald S. Hallman
City Attorney

RSH:fmh

cc: Dr. Clarence V. Cuffee, City Manager
Ms. Anna M. D'Antonio, Assistant to the City Manager
Mr. Patrick Hughes, Neighborhood Services Director
Mr. John King, Environmental Administrator
Hampton Roads Realty Association