

**CITY OF DOVER ORDINANCE #2009-26**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:**

That Chapter 22 – Buildings and Building Regulations, Article X – Rental Dwellings, Division 1 - Generally, Section 22-332 - Inspection standards be amended to read as follows:

Sec. 22-332. Inspection required.

(a) The code enforcement office, in accordance with the procedures set forth in the International Property Maintenance Code adopted in section 22-221, shall inspect rental dwellings for compliance with the property maintenance code and all other applicable codes to ensure compliance.

(b) Following an inspection, the code enforcement office shall issue a letter and/or report of any code violations and provide a timeline for compliance. There shall be no fee for the first follow-up inspection. Each subsequent reinspection shall be subject to a fee as provided for in Appendix F – Fees and Fines.

**BE IT FURTHER ORDAINED THAT:**

Chapter 22 – Buildings and Building Regulations, Article X – Rental Dwellings, Division 2 - Permit be amended to read as follows:

**DIVISION 2. PERMIT**

Sec. 22-352. Suspension.

(a) *Grounds; duration.* The building inspector shall suspend the permit issued or withhold the permit paid for, pursuant to this division, when he determines that any dwelling or the premises surrounding the dwelling fails to meet the requirements of this chapter or any rule or regulation issued pursuant thereto. Suspension shall last until the violations have been corrected to the satisfaction of the building inspector, or the suspension shall have been reversed or appealed.

(b) *Notice of violations.* Upon suspending any permit under this section or withholding the permit paid for, the building inspector shall notify the owner of the violations of the applicable code and shall prescribe a period in which the violation shall be corrected.

(c) *Appeal.* Any owner or operator of any dwelling, whose permit to operate the structure is suspended by the building inspector pursuant to the procedures of this section, shall have the right to appeal and notice as provided in section 22-225.

(d) *Effect of appeal.* Upon suspension of a permit, or withholding of a permit ordered by the building inspector and upon the permittee serving the city clerk with a notice of appeal pursuant to section 22-225, the permit suspension shall be stayed and an existing permit shall remain in force until the appeal is decided.

BE IT FURTHER ORDAINED THAT:

Appendix F – Fees and Fines, Chapter 22--Buildings and Building Regulations, Article X--Rental Dwellings, Division 1--Generally, Section 22-332 - Inspection required and Division 2 -- Permit, Section 22-351 - Generally, be amended to read as follows:

Chapter 22--Buildings and Building Regulations, Article X--Rental Dwellings, Division 2--Permit		
Fines not paid within 14 days of the day the fine was issued, including the day the fine was issued, shall be automatically doubled in amount.		
Sec. 22-332 – Inspection required		
Subsec. (b) Reinspection fee (Not subject to doubling)		
	First follow-up inspection	\$0.00
	Each subsequent reinspection	\$50.00 per inspection
Sec. 22-351--Generally		
If the permit fee is not paid on the date due, the permittee shall incur a penalty fee of ten percent per month of the amount of the license fee until the same is paid.		
Subsec. (a) Single-family dwellings, annual permit		
	Single-family detached dwelling	\$90.00 each dwelling
	Single-family attached dwelling	\$70.00 each dwelling
Subsec. (b) Multiple-family dwellings, annual permit		
	Multiple dwellings consisting of three (3) or less dwelling units	\$90.00
	Multiple dwellings consisting of four (4) or more dwelling units	\$90.00 for the first three (3) dwelling units and \$30.00 for each additional dwelling unit in excess of three (3).
	Condominium units and accessory apartments located within structures principally used for owner occupancy	\$30.00 each
	Subsec. (c) Late payment penalty	A penalty fee in the amount of ten percent per month of the amount of the license fee until the same is paid.
	Subsec. (d) Reinstatement fee	\$100.00

**ADOPTED: DECEMBER 14, 2009**

#### SYNOPSIS

The proposed ordinance would establish a reinspection fee for follow-up inspections of rental dwelling units when violations have not been corrected prior to the second inspection. It also eliminates the word “multiple” from the suspension section, ensuring that suspension of rental permits can be enforced for all rental dwellings where code violations are not corrected.

#### Actions History:

November 23, 2009 - First Reading

November 09, 2009 - Considered by Legislative, Finance, and Administration Committee