

# Ordinance

Version 3.2 released on 8/3/21

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.



### CITY COUNCIL USE ONLY

Date Received: \_\_\_\_\_  
Committee Date: 8-23-23  
1<sup>st</sup> Agenda Date: 8-23-23

Tracking #: 23-697-1  
Committee: PW  
Hearing Date: \_\_\_\_\_  
2<sup>nd</sup> Agenda Date: 8-30-23

### CITY CLERK USE ONLY

Scanned Date: \_\_\_\_\_  
 Posted Item #: \_\_\_\_\_

**All department items requiring Council approval must be submitted through the Mayor's Office.**

### Primary Details

Dept. Tracking No.	Board Approval	Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department City Council	Contact Name Sarah Davis	Email SarahCDavis@tulsacouncil.org	Phone 918-596-1990
Subject (Description) Ordinance amending Title 55, Property Maintenance Code		Ordinance Type Amending Previous Ordinance	
Section	Township	Range	Lot
Block	Address		BA / CT Number
Amending Ord. No.	TRO Title No. 55 e.g. 43	TRO Subtitle e.g. G	Property/Non-Property
Council District	Zoning No.	PUD No.	Planning District

### Budget

Funding Source(s)

#### TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.Abst>Title5413102.6001-4043122-541102-\$30,000.01)

### Approvals

Department: Sarah Davis  
Legal: \_\_\_\_\_  
Board: \_\_\_\_\_  
Mayor: \_\_\_\_\_  
Other: \_\_\_\_\_

Date: 8/17/23  
Date: 08/17/23  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_  
Date: \_\_\_\_\_

### Policy Statement

#### Background Information

The Habitability Working Group was formed to ensure that residents and tenants of residential rental properties can live in a sustained, habitable, safe, clean and healthy living environment. As part of the group's work, amendments to the property maintenance code are recommended. The amendments will allow code officials to be more effective in enforcement efforts. The amendments specifically (1) increase capacity for code officers to engage experts, (2) place geographical and time limits on contact person(s) during the abatement process, (3) amends the appeals process to mirror appeals procedures in the nuisance code, (4) improves relief in the event of hardship, (5) amends the definitions of "code official" and "dwelling unit", and removes duplicate sections.

*Provide background information on the requested action.*

#### Summation of the Requested Action

Request the item be placed on committee and Council agenda for approval.

*Summarize the pertinent details of the requested action.*

#### Emergency Clause?

Yes

No

#### Reason for Emergency Clause

For the preservation of the public peace, health, and safety and the need to provide protections to occupants from hazards that may exist on properties and within structures.

*Explain why you are requesting that the City Council approve this action with an emergency clause.*

### Processing Information for City Clerk's Office

#### Post Execution Processing

Mail vendor copy (add'l signature copies attached)

Must be filed with other governmental entity

Add'l governmental entity approval(s) required

#### Additional Routing and Processing Details

(Published in the Tulsa World

\_\_\_\_\_, 2023.)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TULSA REVISED ORDINANCES; TITLE 55, TULSA REVISED ORDINANCES, “PROPERTY MAINTENANCE CODE”; AMENDING CHAPTER 1, “GENERAL RULES OF PROPERTY MAINTENANCE”; AMENDING SECTION 103, “ENFORCEMENT”, AMENDING SECTION 104, “DUTIES AND POWERS OF THE CODE OFFICIAL”, SUBSECTION 106.2, “INSPECTIONS”, BY ADDING A NEW SUBSECTION 104.2.1, TITLED “ENGAGEMENT OF PROFESSIONAL EXPERTISE”; AMENDING SECTION 106, “VIOLATIONS”, SUBSECTION 106.6, “PROPERTY MANAGER”, REGARDING THE REQUIREMENT OF A LOCAL CONTACT PERSON AND ADDING A NEW SUBSUBSECTION 106.6.1 TITLED “LOCAL CONTACT PERSON”, DETAILING A CONTACT PERSON’S RESPONSIBILITES; AMENDING SECTION 108, “UNSAFE STRUCTURES AND EQUIPMENT”, SUBSECTION 108.1 “GENERAL”, BY REPEALING A DUPLICATE SUBSECTION 108.1; AMENDING SECTION 110, “APPEAL” TO CLARIFY PROCEDURES FOR APPEALS, FROM AN ACTION OF THE CODE OFFICIAL, PRESCRIBING THE HEARING OFFICER’S AUTHORITY, AND ADDING PROCEDURES FOR APPEALS TO THE CITY COUNCIL; ADDING A NEW SECTION 111, TITLED “ADMINISTRATIVE EQUIVALENCIES”, TO PROVIDE FOR RELIEF FROM STRICT COMPLIANCE WITH THE CODE IN EXTRAORDINARY CIRCUMSTANCES; AMENDING DEFINITIONS FOR “CODE OFFICIAL” AND DWELLING UNIT” WITHIN CHAPTER 2, “GENERAL PRINCIPLES AND INTERPRETATION”, SECTION 201, “DEFINITIONS–GENERAL”; AMENDING CHAPTER 3, “STRUCTURE AND PREMISES STANDARDS”, SECTION 304, ‘EXTERIOR STRUCTURE”, SUBSECTION 304.18, “BUILDING SECURITY”, SUBSUBSECTION 304.18.1, TITLED “DOORS” BY REPEALING A DUPLICATE SUBSUBSECTION 304.18.1; AMENDING SECTIONS 802, 803, 804, 805 AND 806 OF CHAPTER 8, “CHRONIC NUISANCE PROPERTIES”; PROVIDING FOR SERVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

*Section 1. That Title 55, Tulsa Revised Ordinances, “Property Maintenance Code”, Chapter 1, “General Rules of Property Maintenance”, Section 103, “Enforcement”, be and the same is now amended to read as follows:*

**“Section 103. – Enforcement.**

**103.1 Enforcement Agency.** The Enforcement Agency for this Code shall be the Department of City Experience and any other department, division, or section of the City of Tulsa

authorized and directed to enforce the provisions of this Code, and the Tulsa City-County Health Department.

**103.2 Appointment.** The “code official”, as used in this chapter, shall be the Director of the Department of City Experience, the Director of any other department, division or section of the City of Tulsa authorized and directed to enforce this Code, the Director of the Tulsa City-County Health Department and such assistants as may be duly qualified, appointed and employed under the supervision of such directors to serve in the capacity of a code official.”

*Section 2. That Title 55, Tulsa Revised Ordinances, “Property Maintenance Code”, Chapter 1, “General Rules of Property Maintenance, Section 104, “Duties and powers of the code official”, Subsection 104.2, “Inspections” be and the same is now amended by adding a new subsection 104.2.1, titled “Engagement of professional expertise”, to read as follows:*

“**104.2 Inspections.** The code official shall make all of the required inspections or shall accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**104.2.1 Engagement of professional expertise.** To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation, or use of a building or premises subject to inspection by the code official, the code official is authorized to require the owner or owner’s authorized agent to provide, without charge to the jurisdiction, a technical opinion and report and that design submittals to be prepared by and bear the stamp of a registered design professional, if needed. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory, or fire safety specialty organization acceptable to the code official and shall analyze the violations designated by the code official for the property’s design, operation or use of the building or premises and the facilities and appurtenances situated thereon. The final report shall recommend necessary changes.”

*Section 3. That Title 55, Tulsa Revised Ordinances, “Property Maintenance Code”, Chapter 1, “General Rules of Property Maintenance, Section 106, “Violations”, Subsection 106.6, titled “Property Manager” be and the same is now amended by the adding of a new Subsection 106.6.1, titled “Local contact person”, all to read as follows:*

“**106.6 Property Manager.** During any abatement process pursuant to this Code, the City may require the owner of the property subject to the abatement, to provide a local contact person (not a corporation, partnership, or limited liability company) who is a resident of the City or County of Tulsa, or is a resident of a county abutting Tulsa County, to be contacted by the City regarding violations of this Code, or in the case of emergencies, and to respond to communications concerning the property subject to the abatement process. No subsequent action taken by the City shall be rendered ineffective due to the failure of the property owner to provide this information. No additional charge shall be assessed by the City due to having



to request this information. A property owner may designate more than one (1) local contract person so that the City has multiple points of contact during the abatement process.

**106.6.1 Local Contact Person.** The owner's local contact person or persons shall be immediately available to the City at all times, twenty-four (24) hours per day, seven days per week. When a local contact person is contacted with a person-to-person communication, or when a message is delivered to the contact person via telephone, voicemail, email, text message, or a combination of these methods, advising that there is a hazardous condition which is an imminent danger to the health, safety or continued habitability to any persons within any structure or habitable space, the contact person shall communicate with the code official or code enforcement officer initiating the contact within one hour and shall immediately commence action to correct such hazardous condition reported to them. Contact information shall include the name, address, phone numbers and e-mail address of the local contact person or persons, and such contact information shall be provided to the City by the property owner in such form as required by the City . The address must include a street address; a post office box is not acceptable. It shall be unlawful for any owner to fail to keep any local contact person's contact information current with the code official."

*Section 4. That Title 55, Tulsa Revised Ordinances, "Property Maintenance Code", Chapter 1, "General Rules of Property Maintenance, Section 108, "Unsafe structures and equipment", Subsection 108.1, "General" be and the same is now amended by repealing the first codified duplicate Subsection 108.1, titled "General," so that this Subsection now reads as follows:*

**"Section 108. Unsafe structures and equipment.**

**108.1 General.** When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be deemed unsafe pursuant to the provisions of this Code."

*Section 5. That Title 55, Tulsa Revised Ordinances, "Property Maintenance Code", Chapter 1, "General Rules of Property Maintenance, Section 110, "Appeal", Subsection 110.1, titled "Right to appeal" be and the same is now amended by adding new Subsections 110.1.1, 110.1.2, 110.2, 110.3. inclusive of Subsubsections, which Section 110 shall read as follows:*

**"Section 110. Appeals.**

**110.1 Right to Appeal.** An appeal to the Hearing Officer may be taken by any person aggrieved (hereinafter "Appellant") where it is alleged there is error in any order, requirement, decision, or determination made by the code official.

**110.1.1 Notice of Appeal from the Code Official.** An appeal from a notice or order issued pursuant to Section 107 of this Code shall be taken within ten (10) business days from the date of the issuance of the notice provided for in Section 107, by filing with the City Clerk at 175 E. 2nd St., Room 260, Tulsa, OK 74103 a Notice of Appeal, specifying the name and mailing address of the Appellant and specifying the grounds for the appeal. The code

official, upon receipt of notice from the City Clerk, shall forthwith transmit to the Nuisance Hearing Officer a summary of the matter and copies of all the papers constituting the record. Upon receipt of the record, the Nuisance Hearing Officer shall set the matter for hearing not less than seven (7) nor more than thirty (30) days from receipt of said record. Notice of the date, time, and place of said hearing shall be mailed by the code official by first class mail to Appellant at the address shown in the Notice of Appeal.

**110.1.2 Hearing Officer.** There is hereby appointed a Hearing Officer and alternate Hearing Officers who shall conduct the hearings and perform the duties set forth herein. The Municipal Court Administrator (Municipal Court Clerk) is appointed and shall serve as the Hearing Officer. The Hearing Officer shall appoint and designate one alternate to serve in the Hearing Officer's absence from one of the division head positions in the Municipal Court. The Mayor shall appoint and designate a second alternate Hearing Officer from the Mayor's staff to serve in the absence of the Hearing Officer and the first alternate.

**110.1.3 Stay of Proceedings.** An appeal stays all proceedings in furtherance of the action appealed from.

**110.2 Nuisance hearing officer's authority.** At a hearing before a Nuisance Hearing Officer, pursuant to any section of this title, should the Nuisance Hearing Officer find that a violation of this Code, or a nuisance, as defined by City Ordinances, exists, an Order to Abate shall be entered. Such an order shall authorize standard abatement procedures to be executed which, may include, among other reasonable actions, the following:

1. Immediate abatement by the City when the immediate welfare of life or property is at risk.
2. Self-abatement by any responsible party pursuant to a written work schedule prepared by the code official.
3. Should the responsible party not appear at a scheduled hearing, after being notified as provided in this title, or fail to make other curative arrangements acceptable to the Nuisance Hearing Officer, an order may be entered which allows to a date certain for the nuisance to be abated by any responsible party.
4. If a responsible party fails to abate the nuisance as ordered, without just cause, the Nuisance Hearing Officer shall be authorized to impose a remedial civil penalty against the responsible party in an amount not to exceed One Thousand Dollars (\$1,000.00) per day for each day beyond the scheduled completion date that the nuisance remains unabated.
5. If just cause, as determined by the code official, prevents the responsible party from abating the nuisance, the order shall authorize the code official to allow up to two (2) fourteen (14) day extensions to abate any nuisance upon pre-payment of the extension fees.

6. The Nuisance Hearing Officer is authorized to summarily order a remedial civil penalty against the responsible party in an amount not to exceed One Thousand Dollars (\$1,000.00) per day for each day the code official documents that a recurring violation of this title by the same responsible party concerning the same property which is referenced in the Order of Abatement exists within the twenty-four (24) months following the issuance of the order.

### **110.3 Appeals to the City Council.**

**110.3.1 Right to appeal.** An appeal to the City Council may be taken by any person aggrieved where it is alleged there is error in any order, requirement, decision, or determination made by the Nuisance Hearing Officer.

**110.3.2 Notice of appeal.** Any person aggrieved by a decision of the Nuisance Hearing Officer may file an appeal to the City by filing two copies of a written Notice of Appeal, specifying the name and address of the Appellant and the grounds for appeal, with the City Clerk at 175 E. 2nd Street, Room 260, Tulsa, OK 74103, within ten (10) business days of the date of the Nuisance Hearing Officer's decision. The Appellant shall obtain a form from the City Clerk, entitled 'Notice of Appeal to Council of Nuisance Hearing Officer Decision' and file two copies of the completed Notice of Appeal with the City Clerk. A hearing on the appeal shall be heard by the Council not later than thirty (30) calendar days from the date of filing the Notice of Appeal unless a later date is agreed to by Appellant. Notice of the date, time and place of the appeal hearing shall be mailed by the Council Secretary by first class mail to the Appellant at the address shown in the Notice of Appeal.

**110.3.3 City Council action.** The City Council shall hold a hearing and may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made.

**110.3.4 Stay of proceedings:** An appeal stays all proceedings in furtherance of the action appealed from."

*Section 6. That Title 55, Tulsa Revised Ordinances, "Property Maintenance Code", Chapter 1, "General Rules of Property Maintenance", be and the same is now amended by adding a new Section 111, titled "Administrative equivalencies", inclusive of Subsections 111.1 and 111.2, to read as follows:*

#### **"Section 111. Administrative equivalencies.**

**111.1. Purpose and intent of equivalencies.** In extraordinary circumstances, a code official may grant an equivalency to the owner of a property providing relief from strict compliance with the regulations of this Code, provided they are consistent with requirement of other codes and compliant with the purpose and intent of this Code. The intent of an equivalency is not to simply remove an inconvenience or financial burden that may result from compliance with applicable requirements. Equivalencies are intended to help alleviate an unnecessary hardship

or practical difficulty that would be caused by strict enforcement of this Code or other code. They are intended to provide relief when requirements could render compliance impracticable because of some unique or special characteristics of the property, building, or structure.

**111.2 Authority to grant equivalencies.** Whenever there are practical difficulties involved in the enforcement of the provisions of this Code, the code official shall have the authority to grant equivalencies for individual cases upon application of the owner or the owner's authorized agent, provided the code official shall first find that extraordinary circumstances make the strict compliance of this Code impractical, the modification is in compliance with the intent and purpose of this Code, and modification(s) do not lessen health, life and fire safety requirements of any other code. The details of action granting modifications shall be recorded and entered in department files."

*Section 7. That Title 55, Tulsa Revised Ordinances, "Property Maintenance Code", Chapter 2, "General Principles and Interpretation", Section 201, titled "Definitions- General", be and the same is now amended by modifying definitions within Section 201 for the terms "Code Official", and " Dwelling Unit", to read as follows:*

**"CODE OFFICIAL.** The official who is charged with the administration and enforcement of this Code, or any duly authorized representative, including but not limited to the Director of the Department of City Experience; the Tulsa Fire Marshal; the Chief of the Tulsa Police Department; the director of any other department, division or section of the City of Tulsa authorized and directed to enforce this Code; the Director of the Tulsa City-County Health Department, and such assistants as may be duly qualified, appointed and employed under the supervision of such directors to serve in the capacity of a code official."

**"DWELLING UNIT.** A structure, or that part of a structure, which is lawfully used as a home, residence or sleeping place by one or more persons, with a room or group of rooms arranged, intended, or designed as a habitable space, containing kitchen, bath or shower, and sleeping facilities."

*Section 8. That Title 55, Tulsa Revised Ordinances, "Property Maintenance Code", Chapter 3, "Structure and Premises Standards", Section 304, "Exterior structure", Subsection 304.18, "Building security", Subsubsection 304.18.1, titled "Doors" be and the same is now amended by repealing the second codified, duplicate Subsubsection 304.18.1, titled "Doors," so that this Subsubsection now reads as follows:*

**"304.18 Building security.** Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

**304.18.1 Doors.** Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good



working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.”

*Section 9. That Title 55, Tulsa Revised Ordinances, “Property Maintenance Code”, Chapter 8, “Chronic Nuisance Property”, is hereby amended by modifying Section 802, “Action”, Section 803, “Review”, Section 804, “Order”, Section 805, “Conference”, and Section 806, “Placard” which such amended sections shall read as follows:*

**“Section 802. – Action.**

Such violations need not result in court action or conviction, but must be appropriately documented by a member of the City of Tulsa Department of City Experience (DCE) Code Enforcement staff, Tulsa Police Department (TPD), or Tulsa Fire Department (TFD).

**Section 803. Review.**

1. Tulsa Police Department and Tulsa Fire Department will refer cases to DCE Code Enforcement staff to confirm the validity of alleged violations of Chapter 8, Sections 801. These departments shall meet as needed and review locations with violations meeting Section 801.
2. If a property is reviewed and considered a Chronic Nuisance Property by the internal departments reviewing the case, DCE Code Enforcement staff will post a Notice of Violation per Section 107 and set the property for an Administrative Hearing using the procedures found in Title 24 TRO, "Nuisances". The notice will inform the owner of the hearing date and list the necessary steps to abate the violations to include but not limited to:
  - a. Abate the violations; or
  - b. Contact DCE Code Enforcement staff to schedule a conference with City staff to present a plan of action before the hearing date listed;
  - c. Secure, mow, and clean entire property within ten (10) days of the Notice of Violation.
3. If the property is declared a Chronic Nuisance Property by the Administrative Hearing officer, DCE Code Enforcement staff will post the signed order on the property and mail a copy to the owner of record.

**Section 804. Order.**

1. DCE Code Enforcement staff will post the Order to Abate on the property designated a Chronic Nuisance Property. The order will inform the owner of the necessary steps to be taken, including, but not limited to:
  - a. Abate the violations; or
  - b. Contact DCE Code Enforcement staff to schedule a conference with City staff to present a plan of action before the hearing date listed;
  - c. Secure, mow, and clean entire property within ten (10) days of the order.
2. If the owner does not comply with the order, DCE Code Enforcement staff will execute the procedures contained in Section 806 of this Chapter to post a placard on the property.

**Section 805.- Conference.**

1. The owner will be responsible for contacting DCE Code Enforcement staff to schedule a conference for the purpose of presenting a plan to abate all violations. If City staff accepts the plan, they will remove the placard from the property.
2. The scheduled conference will be attended by the owner or his/her representative, City staff from TPD, TFD, DCE and the Legal Department, one (1) councilor for the City Council district in which the property is located, and any other appropriate department or outside agency that is needed.
3. The owner or his/her representative will present a plan to City staff for review, comments, and suggestions. The plan will eliminate all current code violations and prevent future violations.
4. Once the plan is agreed upon, the owner will implement the plan and the placard will be removed.
5. DCE Code Enforcement staff will monitor the plan and, if at any point the plan is not being maintained, will refer the property back to the internal committee.
6. If the owner fails to remove the Chronic Nuisance Property violations within the time period prescribed by the plan, the property may be re-placarded and the City of Tulsa may execute additional abatement procedures as outlined in TRO 24.

**Section 806.- Placard.**

1. If the owner does not comply with the order contained in Section 804 above, DCE Code Enforcement staff will proceed with the placard process pursuant to Section 108.4.

2. Occupancy or operation of the Chronic Nuisance Property after the posting of the placard is forbidden. Violators may be cited or arrested and prosecuted pursuant to Section 108 of this Code.”

*Section 10. SEVERABILITY CLAUSE. If any section, subsection, paragraph, subparagraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are now declared to be severable.*

*Section 11. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health, and safety and the need to provide protections to occupants from hazards that may exist on properties and within structures, the reason for which this Ordinance shall become effective immediately from and after its adoption, approval, and publication.*

ADOPTED, by the Council on this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Chair of the Council

ADOPTED, as an emergency measure, on this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_.  
Date Time

G.T. Bynum, Mayor

By: \_\_\_\_\_  
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: \_\_\_\_\_,  
Date

at \_\_\_\_\_.  
Time

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED:

\_\_\_\_\_  
City Attorney

OK - JMS



# Summary of Proposed Amendments – Property Maintenance Code

CURRENT	PROPOSED	CITATION
<p>For inspections requiring expertise beyond their capability, the code official is authorized to engage experts for their opinion.</p>	<p>Authorizes the code official to require an owner to obtain a technical opinion and a report analyzing a violation and recommending an acceptable design solution.</p>	<p>Current Section 104.2 - Inspections and the new Subsection 104.2.1 - Engagement of professional expertise</p>
<p>During an abatement, an owner is required to provide the name and contact information of an individual to receive and respond to communication.</p>	<p>Requires owners to have a “local contact person” residing in the City, Tulsa County or an abutting County. Also requires that a local contact person respond within one hour when notified of an imminent danger to health, safety, or continued habitability.</p>	<p>Current Section 106.6 - Property Manager and the new Subsection 106.6.1 - Local Contact Person</p>
<p>Describes when a structure will be deemed unsafe.</p>	<p>Duplicate sections were codified. The first duplicate provision should be repealed.</p>	<p>Current Section 108.1 - General</p>
<p>Details the right to appeal an enforcement official’s decision to a Nuisance Hearing Officer but does not address procedures for an appeal to the City Council.</p>	<p>Adds provisions governing appeals from a Code Official’s decision and appeals to the City Council, which mirror appeal procedures detailed in the Nuisance Code.</p>	<p>Current Section 110 - Appeals and new Subsections 110.1.2 - Hearing Officer, 110.2 - Nuisance hearing officer’s authority, and 110.3 - Appeals to the Council</p>
<p>There is no existing Section 111. It was omitted from the enactment of the Property Maintenance Code.</p>	<p>Authorizes the code official to provide relief to a property owner when strict compliance with the Code imposes a hardship.</p>	<p>New Section 111 - Administrative equivalencies</p>



CURRENT	PROPOSED	CITATION
Defines a "Code Official" as the official charged with administration and enforcement of the Code.	Expands the definition of "Code Official" to include directors of departments, divisions and sections of the City, and assistants as "Code Officials..."	Current Section 201 - Definitions General, "CODE OFFICIAL"
Defines a "Dwelling Unit" as a "single unit providing complete, independent living facilities..."	Expands the definition of "Dwelling Unit" to a "structure or that part of a structure which is lawfully used as a home, residence or sleeping space..."	Current Section 201 - Definitions General, "DWELLING UNIT"
Requires that access doors to dwelling units be equipped with a deadbolt lock.	Duplicate sections were codified. The second duplicate provision should be repealed.	Current Subsection 304.18.1 - Doors

## DESCRIPTION OF THE NEW CHAPTER 11 -

# “Residential Rental Occupancy Standards”

In addition to the amendments described above, a separate ordinance adds a new Chapter 11 to the Property Maintenance Code. Currently, the Property Maintenance Code addresses the conditions of all residential and nonresidential structures and premises. This new Chapter is focused on occupancy standards and the habitability of “residential rental dwelling units” and “residential rental properties” whether the dwelling is a single-family home, a duplex, or a multi-family complex. Its provisions are:

- Section 1100 Purpose and scope.
- Section 1101 Definitions.
- Section 1102 Duties and powers of the code official.
- Section 1103 General residential rental property maintenance standards.
- Section 1104 Plumbing systems and fixtures standards.
- Section 1105 Sanitary facility standards.
- Section 1106 Kitchen facility standards.
- Section 1107 Electrical and lighting standards.
- Section 1108 Heating and cooling standards.
- Section 1109 Emergency escapes, egress, and smoke detectors.
- Section 1110 Annual verification of fire safety device compliance.
- Section 1111 Light and ventilation standards.
- Section 1112 Interior sanitation standards.
- Section 1113 Residential rental dwelling unit interior building standards.
- Section 1114 Exterior residential rental dwelling unit building standards.
- Section 1115 Residential rental property premises standards.

Enforcement of the Property Maintenance Code and this Chapter 11 will be the same as any nuisance violation.