

Code Enforcement Primer

C/O

A Certificate of Inspection Permitting Occupancy (the C/O) is in everyone's interest. It ensures that tenants are not occupying substandard housing and that neighboring properties are maintained, protecting property values. The owner has the responsibility of providing at least the minimum standards required under the code, while the tenant is obliged to take reasonable care of the rented property. Remember that the tenant may be held responsible for damage caused by their family and guests. A C/O inspection is required for every change in occupancy. Every person living in the unit must be listed on the C/O. You can ask the landlord for a copy of the C/O and application. This information can be verified in the Code Office. The names on the C/O should match the name on the lease. The tenant cannot sublet the apartment without the owner's permission and a new C/O inspection. Both the owner and the tenant can be held responsible if there was no C/O inspection.

The City offers a Conditional Certificate of Inspection for Occupancy commonly referred to as a CCO. The CCO is issued at the discretion of the Inspector when the violations cited are few and minor in nature. This replaced a "pass or fail" system so that prospective tenants were not inconvenienced by a delay due to circumstances beyond their control. It also prevented a situation where the landlord could lose rent when the prospective tenant did not object to the repairs being done after moving in. When a landlord accepts a CCO, he/she is agreeing to:

1. Correct the violations (few and minor) within 21 days,
2. Contact the Code Office and arrange a re-inspection to verify the abatement of the violations, and
3. Pay the City for re-inspection.

If you accept these conditions and then fail to comply, your CCO expires on the 22nd day and you can be summonsed.

If you have any doubt that you might not live up to the conditions of a CCO, do not accept one. You would be better off failing the inspection and correcting the violations before occupancy than risking the fines.

HEAT

Heat is to be supplied from October 1st until May 1st and at other times when the outside temperature falls below 60 degrees. The temperature in the unit must be at least 68 degrees between 6:00AM and 11:00PM. From 11:00PM to 6:00AM the temperature must be at least 65 degrees. The temperature is measured in the middle of the room, approximately 3 feet above the floor.

SMOKE ALARMS, CARBON MONOXIDE ALARMS & FIRE EXTINGUISHERS

Smoke and Carbon Monoxide alarms are everyone's business. The landlord is required to provide sufficient alarms in order to receive a C/O. No C/O's will be passed unless sufficient working alarms are in place. Once the C/O is issued, it becomes the tenant's responsibility to make certain the alarm is working and to maintain the battery. This includes changing the battery when necessary. If the Alarm becomes defective, it is the tenant's responsibility to advise the landlord of the problem • who would then provide a new, working alarm. The landlord is responsible for the alarms in common areas, however this does not mean that it is not in your interest to advise him/her when you observe a problem. After all, it is you and your family that these alarms protect. One and two family homes also require a fire extinguisher. The minimum size is 2A:10 B:C, not to exceed 10 lbs. in weight. For installation instructions call the Code Office.

GRASS & CONSTRUCTION DEBRIS

The City requires that vegetation (grass & weeds) on the property shall not exceed 10 inches. Long grass is not only unsightly, it provides a harborage for pests, including mosquitos, and it catches wind blown litter. When mowing the lawn, please remember that the grass strip along the curb must also be done. You are entitled to a 48 hour warning before a citation can be issued for long grass. Construction debris **must** be removed by the owner. The city will not pick it up.

SIDEWALKS

The sidewalk and curb area adjacent to the property is in the “right•of•way”. Maintaining this area is the responsibility of the property owner. If the sidewalk and/or curbing is broken, the owner is required to fix it. A permit from the Engineering Dept. may be required. In the case of a property with two or more dwellings, the property owner is required to mow the grass and remove the snow. In the case of a single•family rental, depending on your lease, you might be responsible to mow the lawn and remove the snow. **Snow must be removed within 24 hours after the snowfall stops.**

OVERCROWDING

Overcrowding endangers occupants, other tenants in the building, neighbors, emergency personnel and the property. Everyone living in an apartment or house must be on the C/O, and should be on a lease. Non•sleeping areas such as kitchens, bathrooms, living rooms, dining rooms, basements, attics and rooms under 70 square feet can not be used as bedrooms, even with the landlords permission. Bedrooms must meet specific criteria to be legally used, and there must be sufficient living space and common area in an apartment to accommodate the number of people occupying. If you are in violation of the occupancy or overcrowding ordinance, you are not entitled to a warning before a citation can be issued.

Garages, sheds, fences and retaining walls must be kept in good repair.

CODE ENFORCEMENT DEPARTMENT 732•502•5742