

Residential Rental Property Registration and Inspections

March 2, 2021



CITY OF
OPELIKA



Residential Rental Property Registration and Inspections

Planning and Building Inspections

The purpose of the Residential Rental Property Registration and Inspection ordinance is:

- To ensure rental housing is maintained in a good, safe and sanitary condition
- To protect the character and stability of residential areas
- To identify the existence substandard residential rental properties
- To correct and prevent housing conditions that adversely affect the safety, general welfare, and health of residents
- To preserve the value of land and structures throughout the City of Opelika
- To provide minimum housing standards necessary to the health and safety of residents
- To enhance the quality of life of residents of the City living in residential rental units



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Authority:

- General Police Powers - The right of a government to take such actions as are deemed necessary to protect, preserve, and enhance the public safety, health, and welfare.
- Legislative Authority
 - The Alabama Uniform Residential Landlord and Tenant Act (Section 35-9A-101)
 - Authority to regulate construction and building to include the elimination and repair of unsafe buildings (Section 11-45-8)
- Attorney General Opinion recognizing the authority of to regulate and inspect rental properties (No. 207-009)
- City of Opelika Code of Ordinances (Section 5-207) adoption of the 2015 International Property Maintenance Code (IPMC)



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Who Is Affected:

- All residential rental properties
 - A structure or part of a structure with one or more residential units leased for occupancy, including:
 - Single-family dwellings
 - Duplexes
 - Apartments
 - Townhouses
 - Condominiums
 - Factory Built Housing

Who Is Exempt:

- Hotels, motels, and tourist homes
- Housing in hospitals, state licensed group homes, religious housing, licensed nursing homes, assisted living or those managed by institutions of higher education.
- Owner or manager occupied rental units
- Units owned/operated by a governmental agency
- Public Housing Units or Housing Choice Units administered by OHA
- Emergency Shelters or transitional housing
- Units unavailable for rent



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- Registration- All rental properties shall be registered with the City by January 1st of each year or as they are constructed or converted to rental properties.
- Rental properties must be renewed each year.
- Registration includes the contact information for owner and a responsible agent.
- Signed statement by owner/agent indicating that they are aware of the property maintenance code and ramifications for violation.
- Responsible agent must reside within Lee County



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- Inspections- After January 1, 2022, residential rental dwellings shall be inspected when the unit becomes vacant.
 - No unit shall be subject to inspection more often than every three (3) years.
 - New construction or remodeled units shall have seven (7) years from the issuance of a CO.
 - A citizen complaint can require an inspection at any time.
- Once an inspection is completed, the inspector will issue a written list of any violations.
- A reasonable amount of time will be given to correct the violation.
- If no violations are found or detailed violations are corrected, a Rental Occupancy Certificate is issued.



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Fees

- Registration - \$5 per unit per year
- Inspection - \$50 per unit for the initial and 1st reinspection to ensure violations have been corrected.
- Fee for occupancy without a certificate
 - \$150 for the first occupancy without a certificate
 - \$300 for the second occupancy within one (1) year without a certificate
 - \$500 for the third occupancy within one (1) year without a certificate



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International Property Maintenance Code

- Currently used by the City of Opelika to review and abate:
 - Unsafe or dangerous structures
 - Regulate the height of grass and yard maintenance
 - Remove abandoned or junk vehicles from properties



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International Property Maintenance Code

- Structures cannot have:
 - Structural issues in foundation, walls or roof
 - Holes or cracks in roof, foundation, walls, windows or doors.
 - Roof leaks
 - Rodent or pest infestations
 - Rotted wood, broken, loose or missing siding
 - Peeling, chipping, or flaking paint
 - Leaking plumbing
 - Inoperable or ill-fitting doors and windows



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International Property Maintenance Code

- Structures shall have:
 - Adequate light and ventilation
 - Adequate heating
 - Potable water and hot water
 - Adequate sewage connection
 - Fire egress and fire protection systems (smoke detectors)
 - Visible address identification