



Legislation Details (With Text)

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Title: Ordinance to Amend Chapter 11 of the Greensboro Code of Ordinances with Respect to Periodic Inspections of Residential Dwelling Units

Sponsors:

Indexes:

Code sections:

Attachments: 1. 18-0667 Chapter 11 Periodic Inspections Ordinance.pdf

Date	Ver.	Action By	Action	Result
10/16/2018	1	City Council	adopt	Pass

Ordinance to Amend Chapter 11 of the Greensboro Code of Ordinances with Respect to Periodic Inspections of Residential Dwelling Units

Department: Neighborhood Development
Council District: All

Public Hearing: N/A
Advertising Date/By: N/A

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PURPOSE:

To amend Sections 11-2, 11-38, and 11-40 of the City’s Minimum Housing Code with respect to inspections of residential dwelling units to conform to recent changes in the State enabling law.

BACKGROUND:

The City’s Minimum Housing Code, Chapter 11 of the Code of Ordinances, was significantly amended in September of 2015. North Carolina State law authorizes the periodic inspection of certain buildings and structures for which hazardous or unlawful conditions occur. Section 160A-424 of the North Carolina General Statutes was amended in 2016. The State law amendments became effective on January 1, 2017. The City’s Minimum Housing Code regarding periodic inspections was compliant with the previous version of the periodic inspections law. Certain amendments to the City’s Minimum Housing Code are necessary in order for the City to implement a periodic inspection program.

The amendments would provide that code enforcement inspectors can inspect all units within a multifamily building when the inspectors determine that a safety hazard exists in one of dwelling units which in the opinion of the inspector poses an immediate threat to the occupant. This provision allows for more expedient

inspection of certain multifamily buildings without the need for probable cause to inspect every unit and without the need for an administrative search warrant for each unit. The amendments would also allow the City to implement a periodic inspection program under certain circumstances by defining reasonable cause. In addition to the City's existing authority to inspect when there has been (1) a complaint of substandard conditions in the building, (2) a request for an inspection, (3) an inspector has actual knowledge of an unsafe condition within the building, (4) violations that are visible from the exterior of the building, the amendments would also include properties that have a history of more than four verified violations within a rolling 12-month period. However, rather than applying a periodic inspection program only to rental units, the City is prohibited from discriminating between single-family and multi-family buildings and from discriminating between owner-occupied and tenant-occupied buildings. Basically, any periodic inspection program must be equally applied to all types of residential units within the City limits. The State law does not authorize pre-rental inspections or registration of rental units except for individual rental units which have had either more than four verified violations in a rolling 12-month period or two or more verified violations in a rolling 30 day period or if the property has been identified as within the top 10% of properties with crime or disorder problems. Verified violations are defined as the aggregate of all violations found in an individual rental unit during a 72 hour period and any violations that have not been corrected by the owner or manager within 21 days of the written notice of violation.

BUDGET IMPACT:

N/A

RECOMMENDATION / ACTION REQUESTED:

The Neighborhood Development Department recommends that City Council amend Sections 11-2, 11-38, and 11-40 of the Greensboro Code of Ordinances to conform to recent changes in the State enabling law.