**Section 5.7 Amendments to the 2015 International Property Maintenance Code.**

**5.7** The International Property Maintenance Code, 2015 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, are hereby adopted as the minimum requirements for the condition of properties and existing structures with regard to the use, occupancy and condition with the following amendments:

1. **101.1 Title.** Delete the section and replace with these regulations which shall be known as the **Scott County Housing Code** which includes the 2015 International Property Maintenance Code with amendments, hereinafter referred to as "this code".
2. **102.3 Application of other codes.** Delete the section and replace with Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the applicable procedures and provisions of the Scott County Code, which includes, but is not limited to the National Electrical Code 2014 Edition, and the 2015 Editions of the International Building Code, International Residential Code, International Energy Conservation Code, International Swimming Pool and Spa Code, and the Uniform Plumbing Code. Nothing in this code shall be construed to cancel, modify, or set aside provisions of the Zoning Ordinance for Unincorporated Scott County.
3. **103.1 General.** For purposes of this code, the Department of Property Maintenance Inspection shall be the Planning and Development Department and the Code Official shall mean the Scott County Planning Director.
4. **103.5 Fees.** Fees shall be calculated fromSection 5-14 Building Permit Fee Schedule.
5. **106.3 Prosecution of violation.** Add to last sentence or may be filed as a special assessment with the Scott County Assessor’s Office.
6. **106.4 Violation penalties.** Delete the section and replace with Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Nothing herein will prevent prosecution of violations of laws in addition to this code. Violations of this code shall be considered a municipal infraction and civil offense punishable by the provisions of County Code Chapter 29. Continued violations of this code for non-compliance may result in suspension or revocation of a Scott County issued Rental Property Permit and occupants may be required to vacate the property.
7. **107.2 Form.** Add: 7.Be effective notice to anyone having interest in the property whether recorded or not at the time of giving such notice and shall be effective against any subsequent owner of the premises as long as the violation exists and there remains an official copy of the notice in a file maintained by the code official.
8. **Add new section: 111.1.1 Waiver.** Failure of any person to file an appeal request in accordance with the provisions of this code shall constitute a waiver of the right to a Board of Appeals hearing and adjudication of the notice or order, or any portion thereof.
9. **111.3 Notice of Meeting.** Change 20 days to 30 days.
10. **202 General Definitions.** Add the following definitions:
	1. **RESIDENTIAL PROPERTY REGISTRATION.** A registration with the Scott County Planning and Development Department of a multi-family or townhouse rental property by the operator of rental unit within the Community Area Development known as Park View.
	2. **RESIDENTIAL RENTAL PROPERTY; RESIDENTIAL RENTAL UNIT.** A structure containing four or more dwelling units, also any townhouse unit, which is let, leased or rented from or otherwise occupied by permission of the owner or other person in control of such unit, whether by day, week, month, year or any other term, regardless of monetary exchange. The term Rental Unit or Residential Rental Unit may refer to a unit within a multi-family residential rental property, or a townhouse rental unit within Park View as the context requires.
	3. **RENTAL PERMIT.** A certificate obtained by an owner or operator from the Scott County Department of Planning and Development authorizing the use of a multi-family or town house within Park View as a rental property by providing a registration application and vouching for the compliance with the applicable provisions of this chapter. Permits not renewed shall expire after 24 months following its date of issuance, unless sooner suspended or revoked as hereinafter provided.
11. **302.1 Sanitation.** Delete and replace with: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep in a clean and sanitary condition that part of the exterior property which such occupant occupies or controls. This provision shall not relieve the owner of responsibility under 301.2. No exterior accumulation of garbage, refuse, rubbish, household goods, materials or equipment including but not limited to appliances and furnishings manufactured for interior use, shall be permitted. For purposes of this section, an unenclosed porch is an exterior portion of a property or premises.
12. **302.1.1 Rubbish/Garbage Containers.** Add new section:Effective July 1st, 2019,all rubbish, garbage and refuse containers stored outside and intended to be utilized by a multi-family or townhouse residential unit shall be shielded from view of the public and surrounding properties by a fence or other approved obstruction. Rubbish, garbage, and refuse shall not be stored outside of the containers inside or outside of the shielded area.

Rubbish, garbage and refuse containers shall be capable of closing fully at all times. In the event the amount of rubbish, garbage and/or refuse prevents the proper closing of the containers, the operator shall cause the container to be collected, emptied or replaced with an empty one, regardless of the normal pick up schedule.

1. **302.4 Weeds.** Insert 18 inches as the height in inches.
2. **302.9 Defacement of Property.** Add to the end of the last sentence: within 14 days of being notified of graffiti, carving mutilation or defacement that is a violation of this code.
3. **304.14 Insect screens.**  Delete in its entirety and replace with: Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any area where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved, tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device in good working condition.

Exception 1: Screens shall not be required where other approved means, such as air curtains or insect repellant fans, are employed.

Exception 2: From October 31st to March 31st screens may be replaced with storm windows. Screens shall be used in place of storm windows outside of these dates.”

1. **307.1 Handrails and guardrails. General, and Figure 307.1** delete ~~more than four risers~~ and add four or more risers.
2. **602.3 Heat supply.** Delete the 1st paragraph only and replace it with Every owner and operator who rents, leases, or lets multi-family dwelling units or townhouses on terms, either expressed or implied, shall furnish heat to the occupants thereof, shall supply heat to maintain a minimum temperature of 68 degrees F (20 degrees C) in all habitable rooms, bathrooms, and toilet rooms. Cooking appliances or portable space heaters shall not be used to maintain temperature.
3. **605.2 Receptacles.** Add to the end of the section All outlets within 6 feet of a water source shall be GFCI protected.
4. **702.4 Emergency Escape and Rescue Openings.** Add before 1st sentence All sleeping rooms shall have one operable Emergency Escape and Rescue opening.
5. Add new chapter:

**Chapter 9: Rental Permits Required.**

**Section 901**

**General**

**901.1 Scope.** The provisions of this chapter shall apply to all multi-family and townhouse dwelling units used or to be used as a residential rental property as defined in this code within the Community Area Development of Park View.

**Section 902**

**Rental Permits**

**902.1 Rental Permit Required.** No person shall lease, rent, or let for occupancy a multi-family residential rental property units in the Community Area Development of Park View, located in unincorporated Scott County, Iowa without first obtaining a Rental Permit. A separate rental permit shall be issued for each dwelling unit in the multi-family dwelling. Rental Permits shall not be transferred from one owner to another. Each owner of rental property shall register and obtain a permit with the code official within 30 days of transfer of title or possession of rental property. It shall be the responsibility of the operator to provide to the code official complete registration information, including contact information, within 30 days of any change of owner or operator. Permits shall be valid for three (3) years, notwithstanding means of denial, revocation or suspension provided in this code.

**902.2 Registration Requirements.** Registration shall be made for each dwelling unit of a multi-family residential rental property and be considered an application for a Rental Permit. Registration shall be made to the code official by completing such form and detail as prescribed by the code official. In the event a firm, corporation, LLC or other entity is listed as the owner or operator, a person shall be named as the contact for the organization and full contact information shall be provided.

**902.3 Permit Denied; Appeal.** Any person whose registration for a permit to lease, rent, let, permit, or allow occupancy of a rental property results in the permit being denied may request and shall be granted a hearing on the matter before the Scott County Board of Supervisors under the procedures established by the Scott County Administrator.

**902.4 Permit Fee.** Before the Building Official shall issue a rental permit under the provision of this chapter, there shall be paid by the owner or operator a rental permit fee, the amount of which shall be set by resolution of the Board of Supervisors. A Permit that has been expired or revoked shall require the fee prior to re-issuance.

**902.5 Permit Suspension.** Whenever, upon inspection of any rental dwelling unit, the Building Official finds that conditions or practices exist which are in violation of any provisions of this chapter, the Building Official shall give notice in writing to the owner and/or manager of such unit that unless the conditions or practices causing the violation are corrected within a reasonable period, to be determined by the Building Official, the permit shall be suspended. At the end of such period, the Building Inspector shall re-inspect such unit and if the Building Official finds that the violations continue to exist may suspend the rental permit by providing by written notice to the operator that the permit has been suspended. Upon receipt of notice of suspension, such owner/operator shall immediately cause occupants to vacate the premises until the building official determines the violations have been corrected. In instances where violations of this chapter are confined to one (1) of the multiple dwelling units within a premises and in the judgment of the Building Official do not constitute a hazard to health or safety elsewhere, the Building Official shall limit the application of the requirement to vacate the premises to the areas and/or units in which the violations exist.

**902.6 Permit Suspended; Appeal.** Any person whose permit to operate a rental dwelling unit has been suspended or who has received notice from the building official that a permit is to be suspended unless existing conditions or practices are corrected, may request and shall be granted a hearing on the matter before the Scott County Board of Supervisors under the procedures established by the Scott County Administrator.

**Section 903**

**Background Checks**

**903.1 Mandatory Background Checks.** Permit holders shall perform a background check on all persons 18 years of age or older who newly occupy a rental unit as of the effective date of this ordinance, whether or not the person(s) has signed a lease. This requirement shall not apply with regard to persons already occupying a given rental unit prior to the effective date of this requirement.

**903.2** **Minimum Requirements of Background Checks.** Background checks may be obtained through the Scott County Sheriff’s Office, through a third party engaged in the business of providing background checks or through other approved means. Background checks as referenced here shall include the following at a minimum:

a.) A report of activity from Iowa Courts Online.

b.) A report from the Iowa Sex Offender Registry and the National Sex Offender
Website maintained by the United States Department of Justice.

Permit holders are encouraged, but not required, to obtain additional background information they deem appropriate. Nothing herein shall be construed to indicate any preference or recommendation on the part of Scott County as to the selection of a tenant. Operators are free to use the information discovered to the degree they see fit.

**903.3** **Proof of Background Check.** Upon the Scott County Sheriff’s Office’s request, operators shall show proof that the background check requirement has been met by providing a receipt, cover sheet or other means that includes the tenant’s name. The background check is the property of the person ordering the check, and it is within the rights of the operator to withhold the information within once proof of a background check being completed has been provided.

**Section 904**

**Mandatory Written Lease**

**904.1 Mandatory written lease.** Owners and operators of all Rental Properties for which a Rental Permit is required must have written leases or written rental agreements with all tenants.

* 1. **Lease Information.** Written lease agreements must contain the following information::
		1. The full name of all occupants of the dwelling unit;
		2. The street address and unit number to be occupied;
		3. The terms of the agreement including the amount of rent and when it is due.
		4. The party responsible for utility costs;
		5. The terms for the operators access to the dwelling unit, such as 24-hour notice, emergencies, and welfare checks;
		6. The method for the operator and tenant to provide written notices to each other, including complete contact information for each party;
		7. A notice to the tenants that it shall be a violation of the lease to commit any act or allow any activity to occur on the leased premises which violate any Federal, State, or local laws, regulations, or ordinances which are in effect or which may be enacted during the term of the lease or rental agreement;
		8. Provide a description of the arrangement or responsibilities for emergency relocation of tenant(s), if ever needed.
	2. **Proof of Lease.** Upon Scott County’s request, operators shall show proof that a lease or rental agreement is currently in force.

**Exception-** The requirement for a written lease or rental agreement is waived in the event the landlord and tenant have a familial relationship (defined as spouse, parents, children, brothers, sisters, grandparents, grandchildren, brother-in-law, sister-in-law, mother-in-law, father-in-law, step-family and foster children.)

**Section 905**

**Inspections**

**905.1 Inspections.** The Building Official is hereby authorized to enter and make inspections to determine the condition of any unit within a multi-family rental property located within the Park View in Scott County in order to perform the duty of safeguarding the health and safety of the occupants and of the general public. Inspections shall be made:

* + 1. Upon receipt of a complaint from a person or party identifying themselves, made or filed with County officials;
		2. When just cause is found and a warrant has been obtained after a request to enter has been denied;
		3. A public health, safety or welfare emergency is observed or is reasonably believed to exist;
		4. A tenant makes a request for an inspection. If a non-emergency inspection is requested by a tenant, the tenant shall provide written notice to the owner per 562A.21 of Iowa Code. Seven (7) days after tenant notification to the owner, an inspection may be conducted by the building official.
		5. An operator makes a request for an inspection. A non-emergency inspection may be made following the terms for accessing the unit provided in the lease.
		6. When a request for a welfare check is made due to concerns for the occupants wellbeing. When making a welfare check, the Scott County Sheriff’s Office shall be present and follow protocol established for such occurrences.

For the purpose of making inspections, the Building Official is authorized to enter, examine and survey at all reasonable times all such dwellings, dwelling units, rooming houses, rooming units and premises with the consent of the owner, tenant or operator. Such inspections shall be at reasonable times on week days when the owner, operator or responsible occupant is present. In the event that there is sufficient evidence to indicate a violation of this code, and the operator or occupant refuses to allow the Building Official access at reasonable times, the Building Official or a designee shall secure a warrant to inspect the dwelling on the basis of the refusal to allow entry.

**Section 906**

**Emergency Order**

**906.1 Emergency Order.** Whenever the Building Official finds that an emergency exists which threatens immediately the public health, the building official may issue an order reciting the existence of such an emergency and requiring that such action be taken as the building official deems necessary to meet the emergency. Notwithstanding the other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately. However, upon petition for an appeal to the building official, shall be afforded a hearing at the earliest expedient time. After such hearing, depending upon its findings as to whether the provisions of this chapter have been complied with, the Appeals Board shall continue such order in effect, modify it or revoke it.

**Section 907**

**Conflict**

**907.1 Conflict.** Enforcement of the Housing Code shall not be construed for the particular benefit of any individual or group of persons, other than the general public. In the event of a conflict between this section and any other section of the Housing Code, this section shall govern insofar as applicable.

**Section 908**

**Liability**

**908.1 Liability.** Scott County and its employees is not liable for damages to a person or property as a result of any act- or failure to act- in the enforcement of this Code. The Housing Code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any equipment or structure regulated herein for damages to a person or property caused by its defects, nor shall the County or any County employee be held as assuming any such liability by reason of the inspections authorized by this Code or any approvals issued under this Code.

**Section 909**

**Effective Date**

**909.1 Effective Date.** The effective date of chapter 9 shall become effective on Xxxxxxx xx, 20xx. All other portions of this code shall take effect upon approval by the Scott County Board of Supervisors as provided for in Iowa Code.