



**CITY COUNCIL COMMUNICATION**

June 23, 2009

**SUBJECT:** HOLD PUBLIC HEARING AND CONSIDER AN ORDINANCE BY THE REPEAL OF ARTICLE 10 “MINIMUM HOUSING STANDARDS” WITHIN CHAPTER 14 “BUILDINGS AND BUILDING REGULATIONS” AND BY REPLACING IT WITH A NEW ARTICLE 10; AMENDING SECTION 30-42 “MINIMUM HOUSING LICENSING AND RELATED FEES” WITHIN CHAPTER 30 “FEES”

**SUBMITTED BY:** Mike Collins, Director of Planning and Development

**REFERENCE NO:** 09-08-CC

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**ACTION REQUESTED:**

Receive public input and motion to approve Ordinance No. 1851 by the repeal of Article 10 “Minimum Housing Standards” within Chapter 14 ‘Buildings and Building Regulations’ and by replacing it with a new Article 10; and amending Section 30-42 “Minimum Housing Licensing and Related Fees’ within Chapter 30 “Fees”.

**ALTERNATIVES:**

1. Approve the request – *simple majority*
2. Approve the request with modifications – *simple majority*
3. Deny the request – *simple majority*

**SUMMARY OF SUBJECT:**

Staff is seeking adoption of this Ordinance related to the new Apartment Inspection Program. This action represents the most significant overhaul of the city’s apartment inspection process since adoption of the minimum housing codes (MHC) and fees in 1992. While utilizing as its’ legal foundation the same minimum housing codes contained in the 2003 International Property Maintenance Code, the core of the city’s new program is three fold:

- 1. Implementation of a new annual owner registration process and fee.**
- 2. Improve the effectiveness of all inspections and increase the frequency of inspections in the appropriate properties. This can be accomplished by:**

- Eliminating use of the word “minimum” in our program.
- Setting the bar at a higher community standard, not a minimum.
- Formation of an Apartment Inspection Team for Primary Inspections.
- Establishment of more formal coordination with Fire & Police Departments.
- Implementation of a Formalized, Systematic Inspection Program.
- Incorporation of follow-up inspection and re-inspection processes, with clearly identified violations, defined deliverables and completion dates.
- Improving the effectiveness/increasing the number of inspections.
- Proactively identifying specific conditions and actions that are indicators that the condition of a property could be in decline.

### **3. Adjust the fees based on the delivery of services.**

- Fee structure based on number of inspections performed; currently a well maintained property and a poorly maintained property pay the same amount in per unit annual fees.
- Create a financial incentive and encouragement for owners/management to maintain their property beyond the Minimum Housing Code standards.
- Shifting the assessment of fees from “equal for all” to based on level of service required.

A Primary Team Inspection will be completed for each multi-family complex. A report will be provided to the landlord of the complex that specifically identifies all code violations. Based on the number of violations identified, a score will be calculated using a 100 point system and a tier designation assigned that will determine the number of additional Primary Team Inspections that will be conducted in the next twelve (12) month period of time.

#### **Tier 1:**

Score of 91 or greater (Exceeds Standards Designation) - A waiver of primary inspection will be received for up to two (2) years unless a subsequent complaint is received prior to the next required systematic inspection. A Primary Team Inspection will be performed at least once in a three year period of time. Inspection Fee waived as long as a property remains Tier 1.

#### **Tier 2:**

Score between 76 and 90 (Meets Standards Designation) - A Primary Team Inspections will be performed twice annually unless a subsequent complaint is received prior to the next required systematic inspection.

#### **Tier 3:**

Score equal to or less than 75 (Deficient Standards Designation) -Primary Team Inspections will be performed four times annually unless a subsequent complaint is received prior to the next required systematic inspection. The City of Euless reserves the right to revoke the license to operate the multi-family dwelling complex of any property which receives a score of less than 75 in three (3) consecutive primary inspections.

**Fees:**

An annual registration fee, of ten dollars (\$10.00) per dwelling unit (capped at 120 units), will be calculated and due in full at the time of the required annual registration.

An inspection fee, of ten dollars (\$10.00) per dwelling unit per inspection, will be calculated at the time of the required annual registration and payable monthly.

**SUPPORTING DOCUMENTS:**

- Ordinance No. 1851

**APPROVED BY:**

\_\_\_\_\_ **LG** \_\_\_\_\_

City Manager's Office

\_\_\_\_\_ **SC** \_\_\_\_\_

City Secretary's Office