



CITY COUNCIL COMMUNICATION

June 25, 2013

SUBJECT: Consider First and Final Reading of Ordinance No. 1998 To Amend Portions of Chapter 14 “Buildings and Building Regulations” By Adopting New Regulations for the Minimum Housing Code.

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

REFERENCE NO: Ordinance No. 1998

ACTION REQUESTED:

Consider First and Final Reading of Ordinance No. 1998, amending the Code of Ordinances of the City of Euless, Chapter 14, “Buildings and Building Regulations”, Article X, “Minimum Housing Code”, Division 1, “Generally”, Section 14-183, Division 2, “License”, Sections 14-192 and 14-194 governing the use, occupancy management, operation and maintenance of multi-family dwelling complexes within the city.

ALTERNATIVES:

- Table the request
- Deny the request

SUMMARY OF SUBJECT:

Ordinance No. 1851, adopted in June 2009, amended the minimum housing regulations within Chapter 14 to expand the City’s multi-family inspection program. The City Council last approved amendments to Chapter 14 “Minimum Housing Code” on November 13, 2012. These amendments provided several definitions that further clarified how the day-to-day operations of the multi-family inspection program are carried out and reflected that responsibility to implement the program lies with the Code Compliance Division of the Police Department.

The City Council on June 11, 2013 adopted Resolution No. 13-1411, establishing a policy for the creation of a Relocation Assistance Program related to enforcement of the City’s

Minimum Housing Code and related to Amortization. While the City's goal is to achieve compliance with minimum code standards without the need for relocation, situations may arise that necessitate the displacement of individuals, families, or businesses. Through the adoption of a Relocation Policy, the City Council has established that the City will only pay relocation costs when the City mandates moving from the premises, not when the City merely requires compliance with the regulations.

Consistent with the Relocation Policy, there are several amendments that staff proposes to include in the ordinance:

Section 14-183

- Specifically state that the intent of the minimum housing code is to ensure compliance with minimum standards essential to protect the public, health, safety and welfare of the citizens of the City and not to require the **mandatory** closure of apartments.

Section 14-194

- Related to the enforcement of the Minimum Housing Code, Section 14-194 identifies a "menu" of approaches or actions
- The City **MAY** at its discretion take any or all of the actions, depending on the individual circumstance.
- The "menu" includes the following:
 - Allows the City to prohibit reletting of individual vacant apartment units in violation for less serious violations until the violation(s) have been rectified.
 - Impose a penalty upon the owner as provided in Section 14-186 of this article.
 - Revoke the owner's certificate of occupancy and the license authorized by this article to operate the entire multi-family dwelling complex.
 - Allows the City to revoke the certificate of occupancy if the apartment receives its' third tier 3 designation, but would consider on case to case basis.
 - If the complex receives a Tier 3 designation, the City would be allowed to prohibit the reletting of individual vacant apartment units and from renewing any leases for a term that would go beyond the date the license to operate becomes invalid.
 - Allows the City to require surveillance by the various city departments (fire, police, code compliance, building, health) of any unhealthy or unsafe conditions, at the landlord's expense.

- Requires the landlord to pay any relocation expenses incurred by the City - placement of a lien on the property to recover the relocation expenses.
- After receiving written notice from the city that the license to operate will be revoked, Landlord must provide formal written notice to all tenants and post in office **at least** sixty (60) days before the specific date on which the license to operate becomes invalid stating that all units must be vacated.

SUPPORTING DOCUMENTS:

- Ordinance No. 1998

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **KS** _____

City Secretary's Office