

CHAPTER 10

RESIDENTIAL RENTAL REGULATIONS

SECTION

- 12-1001. Registration required.
- 12-1002. Registration application.
- 12-1003. Inspection required.
- 12-1004. Property maintenance.
- 12-1005. Frequency of inspection.
- 12-1006. Registration certificate required.
- 12-1007. Certificate registration date.
- 12-1008. Certificate transferability.
- 12-1009. Request for additional inspections.
- 12-1010. Exemptions.
- 12-1011. Records.
- 12-1012. Other actions, prosecutions, court cases.
- 12-1013. Nuisances, injunction.
- 12-1014. Penalties.
- 12-1015. Saving clause.
- 12-1016. Severability.

12-1001. Registration required. All owners of residential rental property within the city shall register each rental unit owned or operated within the city. An owner of residential rental property shall file a registration application with the community development department within thirty (30) days after assuming ownership or control of the property, or after altering the number or size of rental units at a previously registered property. All owners of residential rental property at the time of the incorporation by ordinance of this chapter within the Springfield Municipal Code shall file a registration application for their property within sixty (60) days after the effective date of said ordinance. The owner shall be responsible for all sub-leasing of his residential property. (as added by Ord. #05-23, Dec. 2005)

12-1002. Registration application. Registration shall be made upon forms furnished by the community development department and shall specifically require the following minimum information:

- (1) Name, address and telephone number of the property owner;
- (2) Name, address and telephone number of any designated local property manager;
- (3) The street address of the rental property; and
- (4) The name, telephone number and address of the person authorized to make or authorized to order repairs or services to the property, if the person is different than the owner or local manager.

(5) The square footage of living rooms, dining rooms and bedrooms to determine occupancy load. (as added by Ord. #05-23, Dec. 2005)

12-1003. Inspection required. All residential rental units shall be inspected periodically by the city for compliance with this chapter and all other applicable laws. (as added by Ord. #05-23, Dec. 2005)

12-1004. Property maintenance. All residential rental units shall comply with the property maintenance code adopted by the city. (as added by Ord. #05-23, Dec. 2005)

12-1005. Frequency of inspections. All residential rental units subject to this chapter shall be inspected periodically; but nothing shall preclude the inspection of the residential rental unit upon a complaint being made under the provisions of other city ordinances or state laws. (as added by Ord. #05-23, Dec. 2005)

12-1006. Registration certificate required. No person shall rent or allow for the occupancy of any residential rental unit that is subject to this chapter without having a valid, current certificate of registration for that unit. The certificate shall be kept on the property at all times and shall state the maximum number of residents allowed to occupy the unit. The maximum occupancy number shall be established or confirmed by the city's code enforcement officer using standards contained within the property maintenance code. (as added by Ord. #05-23, Dec. 2005)

12-1007. Certificate registration date. The certificate of registration issued pursuant to this chapter shall expire three (3) years from the date of issuance. The expiration date shall be prominently displayed on its face. (as added by Ord. #05-23, Dec. 2005)

12-1008. Certificate transferability. A certificate of registration issued shall not be transferred to succeeding owners. Upon the transfer of ownership of the property, a new certificate of registration shall be required. (as added by Ord. #05-23, Dec. 2005)

12-1009. Request for additional inspections. The owner or designated property manager of any residential unit that is subject to this chapter may request additional inspections of the rental units at any time. (as added by Ord. #05-23, Dec. 2005)

12-1010. Exemptions. This chapter shall not apply to the following:

- (1) Residential rental units owned and operated by any governmental agency;
- (2) Residential rental units licensed and inspected by the state; and

(3) Hotels that do not rent to permanent residents and nursing homes or assisted living or retirement facilities.

(4) Apartment complexes that already keep the required registration information on file and accessible. (as added by Ord. #05-23, Dec. 2005)

12-1011. Records. All records, files and documents pertaining to the rental registration and rental unit inspection program shall be maintained by the community development department and made available to the public as allowed or required by state law or city ordinance. (as added by Ord. #05-23, Dec. 2005)

12-1012. Other actions, prosecutions, court cases. Nothing in this chapter shall prevent the city from taking action under any of its fire codes, building codes, technical codes, zoning ordinance, or other health and safety codes, ordinances or laws for violations thereof to seek injunctive relief or criminal prosecution of such violations in accordance with the terms and conditions or the particular code, ordinance or law under which the city would proceed against the property owner, designated property manager or occupant of any residential rental unit covered by this registration and inspection chapter. (as added by Ord. #05-23, Dec. 2005)

12-1013. Nuisances, injunction. Any violation of this chapter is hereby declared to be a nuisance. In addition to any other relief provided by this chapter, the city attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this chapter. Such application for relief may include seeking a temporary restraining order, temporary injunction and permanent injunction. (as added by Ord. #05-23, Dec. 2005)

12-1014. Penalties. Any person violating any of the provisions of this chapter shall be punished by a fine under the general penalty clause of this code. (as added by Ord. #05-23, Dec. 2005)

12-1015. Saving clause. Nothing in this chapter shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this chapter, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this chapter. (as added by Ord. #05-23, Dec. 2005)

12-1016. Severability. The various parts, sections and clauses of this chapter are hereby declared to be severable. If any part, sentence, paragraph, section or clause is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the chapter shall not be affected thereby. (as added by Ord. #05-23, Dec. 2005)