Sec. 7-169. - Inspection of rental housing.

To ensure compliance with the Standard Housing Code as adopted in this article, and as amended from time to time, all rental housing within the city shall be inspected as provided in this section, which shall apply to all owners of one (1) or more housing units within the city which are rented to tenants for residential occupancy. This section shall apply to all residential units, including but not limited to single family homes, duplexes, triplexes, apartments, condominiums, and rooming or boarding houses, which are rented to occupants other than the property owner for more than two (2) weeks during any one-year interval.

(1) The building official or his designee, and the fire marshall, shall have the right to inspect the unit for compliance with the Standard Housing Code and with other applicable codes, including but not limited to the building code, fire code and other health and safety regulations.

(2) If any code violations are discovered by the inspections, the building official or his designee shall notify the property owner and provide a list of all violations which require corrective action. The property owner shall have not more than ninety (90) days after notice of violations within which to correct the violations. If the violations are deemed detrimental to the health, safety and welfare of the community, the city shall curtail all utility services to the unit until code compliance is achieved, except for temporary utility services as needed for the purposes of renovation or correction of code violations. Once the property owner has completed the process of correcting the violations, the owner shall notify the building official that compliance has been achieved, and shall at that time request a reinspection and the building official shall once again inspect the unit. If code compliance has been achieved the building official shall provide the property owner with written confirmation of compliance. If the violations originally noted have not been remedied, the building official shall again give written notice to the property owner of code deficiencies and the property owner shall have an additional thirty (30) days to remedy the deficiencies. The building official shall reinspect the unit again after the thirty (30) days and if the unit is in compliance shall issue written confirmation as provided above. If the unit is still not in compliance, the building official shall refer the unit to the code enforcement. If upon any reinspection, new code violations are found by the building official, the new violations shall be treated as a new case subject to the time periods for compliance and enforcement remedies provided for in this section.

(3) Notices under this section shall be in writing, shall include an address or other description of the property sufficient for the owner to identify it, and a description of the code violations which require correction. The notice shall state that if the violations are not remedied within the time provided in this section, the city may institute code enforcement actions or other legal proceedings, and that the unit shall not be rented or occupied until the code violations are remedied in full.

(4) Notices shall be served on the property owner by certified mail, return receipt requested, and/or first class mail, addressed to the owner at the address provided by the owner to the city clerk when the owner registers under this section. Notice shall also be posted on the rental unit, in a conspicuous place. At the option of the building official, notice may be (but is

not required to be) hand delivered to the property owner, if an individual to his or her usual place of abode to be left with the owner or another occupant of the same address who is sixteen (16) years of age or older, and if a corporation or other entity, with the entity's registered agent as shown on the records of the Florida Secretary of State.

(5) Violations of this section, including but not limited to failure to achieve code compliance within the times specified, and occupancy of a residential rental unit after notice of violation has been given and prior to issuance of written confirmation of code compliance, may be prosecuted either through the code enforcement process, under section 7-168 of this Code, under section 1-14 of this Code, or in any other manner now or hereafter permitted by law.

(Ord. No. 03-56, § III, 6-9-03)