

ORDINANCE NO. 434

**ORDINANCE TO CODIFY ADDITIONAL REMEDIES TO ENFORCE
CODE REQUIREMENTS FOR RENTAL HOUSING
CITY OF FOREST**

WHEREAS, housing in the City consists of owner and tenant occupied properties and the two type of housing are in general parity;

WHEREAS, the substantial majority of complaints about and violations of the Code provisions adopted to assure minimum adequate housing arise from tenant occupied property;

WHEREAS, the substantial majority of such complaints arise at rented single-family dwellings;

WHEREAS, existing remedial measures in the Code are insufficient to achieve prompt Code compliance resulting in significant adverse impacts on the public health, safety and welfare of the City including the quality of life for tenants, affected neighborhoods and the City; and

WHEREAS, to expedite compliance with the Code at such properties and thereby assure better quality housing for tenants and the neighborhood, the Council finds it necessary to adopt additional remedial measures for more effective compliance with the Code at such properties.

BE IT ORDAINED BY THE GOVERNING AUTHORITIES OF THE CITY OF FOREST, MISSISSIPPI that the Code of Ordinances of the City of Forest be amended by adding the following section as follows:

SECTION 1. DEFINITIONS

Unless the content clearly indicates otherwise, the following words and phrases as used In the Article shall have the following meanings:

- (a). Change in tenant: When any and all current tenants discontinue tenancy at the dwelling and are replaced by a new tenant or new tenants.
- (b). Dwelling: A single-family residential dwelling unit used for residential purposes, including houses, duplexes and apartment houses.
- (c). Dwelling unit: One (1) or more rooms physically arranged as to create an independent housekeeping establishment with separate facilities for cooking, sleeping, and toilet. A dwelling unit can be occupied by only one (1) family. A single-family residential dwelling unit shall not contain a utility apartment or rented rooms.
- (d). Housing Code: The provisions of the City of Forest Code of Ordinances and the International Property Maintenance Code (IPMC) and any and all other housing standard ordinances which may be ordained by the governing authorities of the City of Forest.

SECTION 2. REQUIREMENTS FOR RENTING OR LEASING

Any owner intending to use, rent or lease a dwelling must comply with the following:

- (a). Before a dwelling is rented or leased to a tenant or before any utilities at the dwelling are turned on in the name of a tenant, or when a change of tenants takes place, an application must be filed for the dwelling to be inspected by the City of Forest for a fee of up to fifty dollars (\$50.00) and be declared to be in compliance with the ordinances of the City and the IPMC; and
- (b). Following an eviction, any and all appliances, fuel tanks, mattresses, or any other items of trash must be removed from the yard within five (5) days of the conclusion of the eviction.

SECTION 3. PENALTIES

Any landlord who is found to be in violation of any of the provisions of Section 2 of the above shall be subject to the following:

- (a). A fine of three hundred dollars (\$300.00) for violating Section 2(a);
- (b). A fine of one hundred dollars (\$100.00) for violating Section 2(b);
- (c). A fine of one thousand dollars (1,000.00) for any repeat offense of any provision in Section 2 by an owner on the same piece of property within a twenty-four (24) month period.
- (d). Each day a violation is found to occur shall constitute a separate offense.

SECTION 4.

This Ordinance shall become effective thirty days from the date of publication. This Ordinance shall be published in the *Scott County Times*, as provided by law.

ORDAINED, this the 1st day of December, 2009.

/s/Nancy N. Chambers
Mayor

ATTEST:

/s/Faye Johnston
City Clerk