

COMMISSIONERS ORDINANCE O-2019-019

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING SECTION 99.06 AND 99.10 OF THE CODE OF ORDINANCES CONCERNING RENTAL DWELLING LICENSES AND INSPECTIONS.

BE IT ORDAINED BY THE CITY OF NEWPORT, KENTUCKY:

SECTION I

That Section 99.06 of the Code of Ordinances of the City of Newport, Kentucky shall be and is hereby amended to read, as follows:

§ 99.06 FEES.

- (A) There shall be an annual [~~application~~] fee of [~~\$45~~] \$50 per application [~~rental dwelling (building)~~] and an annual rental dwelling license fee of [~~\$35~~] \$75 payable for each rental dwelling unit [~~located therein~~] indicated thereon.
- (B)(1) The maximum annual amount payable by an individual, partnership or corporation hereunder shall not exceed [~~\$5,000~~] \$8,000 for any fiscal year. The maximum payment amount shall be automatically adjusted upward on an annual basis in accordance with the annual change in the Consumer Price Index, as determined by the Federal Bureau of Labor Statistics, rounded up to the nearest \$100. However, the payment amount shall not decline below the minimum of \$8,000.
- (2) The city shall provide information regarding any new application fee, any annual rental dwelling license fee and any new maximum annual amount payable contemporaneous with the renewal forms when they are mailed out prior to the commencement of each requisite fiscal year.
- (C) Any change in ownership shall require a new license application and payment of the license fee.

(D) The annual license fee shall be increased by 50% when more than 15 days late.

Late applicants shall not be entitled to prorated license fees.

(E) License fees shall be prorated as follows:

Issued during first half of license year	Full fee
Issued during second half of license year	1/2 fee

SECTION II

§ 99.10 INSPECTION GUIDELINES.

The rental dwellings required to be licensed hereunder shall be inspected under the following circumstances:

(A) A complaint is made by any person to an employee of the City ~~[or]~~ or if an employee of the City observes a visible violation of any City Ordinance or adopted Code in the interior of the structure or has sufficient information to have reasonable cause to believe a violation exists in the interior of the structure, then ~~[upon which]~~ such employee shall make a minimum of one (1) attempt to contact the licensed owner ~~[prior to the inspection of]~~ or property manager (at the telephone number or email listed on the current year's application) for permission to inspect the interior of the premises at the telephone number listed on the current year's application. If the employee is unable to contact the licensed owner or property manager after the attempt, ~~[then an interior inspection may be made without further notice to the licensed owner. No notice is required for an inspection of the exterior of the property;]~~ or if either the licensed owner, property manager, or the occupant of the structure denies consent to inspect the interior of the structure, then the employee shall seek an administrative search warrant from a Campbell District Court Judge; or

(B) ~~[An employee of the City reasonably believes that a condition exists that relates to a life or safety issue for which such employee shall not be required to contact the licensed owner prior to an interior inspection.]~~ The inspections shall be made to determine[:

~~—(1) Compliance]~~ the compliance with all provisions of the applicable City fire, zoning, life safety, property maintenance and/or building codes.

~~[(2) Rental dwellings with delinquent property taxes or any other assessments.~~

~~—(3) Property identified by the Code Enforcement Division of the Development Services Department as having housing code violations or a history of noncompliance with housing inspection orders.~~

~~—(4) Rental dwellings for which no license has been applied for or which are unlicensed or unregistered.~~

~~—(5) Rental dwellings with police and/or fire/EMS runs relating to drug offenses, prostitution, crimes of force or violence or loud and disorderly disturbances.]~~

SECTION III

That this Ordinance shall be signed by the Mayor, attested to by the City Clerk, recorded, published by Summary, and shall be effective upon publication.

PASSED: First reading June 11, 2019
PASSED: Second reading June 17, 2019

Jerry R. Peluso, Mayor

ATTEST:

Amy B. Able, City Clerk

PUBLISHED: Online on the City website, www.newportky.gov, with URL reference published in the Campbell County Recorder the 27th of June, 2019 as statutorily allowable under Section 143 of HB 487 approved in 2018 by the Kentucky Legislature and became law on April 27, 2018.