

# BOARD OF ALDERMEN

ITEM NO. D(4)

## AGENDA ITEM ABSTRACT

**MEETING DATE: January 18, 2005**

**TITLE: Review: Housing Code Update**

<b>DEPARTMENT: PLANNING</b>	<b>PUBLIC HEARING: YES _ NO _X_</b>
<b>ATTACHMENTS:</b> <b>A. Resolution</b> <b>B. Excerpt of minutes of September 16 and October 28 meetings of the Board of Aldermen</b> <b>C. Draft of Housing Code, New Chapter 17 of the Town Code</b> <b>D. Memo from T. C. Morphis with Summary of Proposed Changes</b>	<b>FOR INFORMATION CONTACT:</b> Patricia McGuire – <b>918-7327</b> Mike Canova – <b>918-7337</b> T.C. Morphis, Brough Law Firm – <b>929-3905</b>

### PURPOSE

The Board of Aldermen received reports on the rights and responsibilities of tenants and landlords in September and October of 2003 and directed staff to proceed with updating the Town's Housing Code. It will be necessary for the Board of Aldermen to receive public comment on the proposed new Housing chapter of the Town Code. A resolution that sets a public hearing date of March 22<sup>nd</sup> has been prepared for the Board's use.

### INFORMATION

The 2003 Action Agenda Project list included the task of developing a tenants' bill of rights and evaluating landlord licensing. A report provided on September 16, 2003 explored the issues associated with tenants and landlords and evaluated rental unit inspection and landlord licensing programs from around the state. Follow-up action was specified, including developing educational materials, preparing a proposal for an inspection program and prepare an update of the Housing Code. Educational materials and a cost estimate of developing an inspections program were provided in late October. The Board of Aldermen discussed the materials, the development of a county-wide task force to investigate substandard housing, and a campaign to educate residents that they have a right to be 'safely warm.' An excerpt of the minutes of both meetings is attached (*Attachment B*).

Staff had noted the need to update the Town Code as it has been in place for two decades without revisions. The existing code provisions were evaluated in relation to statutory provisions and the International Property Maintenance Code. Staff of the Planning and Inspections Divisions and of the Town Attorney's office worked to develop revised housing code provisions from late spring to late fall of 2004. An updated draft of the Housing Code has been prepared (*Attachment C*). A memo from T. C. Morphis of the Brough Law Firm that includes summary sheet of the proposed

changes is also attached (*Attachment D*). It should be noted that one of the principal changes is to formally incorporate the Housing Code as a new Chapter of the Town Code. A public hearing will be needed before the new Code can be adopted.

### **FISCAL IMPACT**

Amending the Town Code to include the new Housing Code chapter involves public hearing advertising costs and administration of the proposed amendment.

### **STAFF RECOMMENDATION**

The town staff recommends that the Board of Aldermen adopt the attached resolution setting a public hearing on the new Housing Code. (*Attachment A*).