

COMMISSIONERS ORDINANCE NO. O-2023-018

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING SECTION 99.10 OF THE CODE OF ORDINANCES REGARDING RENTAL DWELLING INSPECTION GUIDELINES

SECTION I

That Section 99.10 of the Code of Ordinances shall be and is hereby amended to read as follows:

SEC. 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 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 such employee shall make a minimum of 1 attempt to contact the licensed owner of property manager (at the telephone number or email listed on the current year's application) for permission to inspect the interior of the premises. If the employee is unable to contact the licensed owner or property manager after the attempt, the occupant or tenant of the structure may grant consent to inspect the interior of the rented premises. ~~or~~ However, 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. The inspections shall be made to determine the compliance with all provisions of the applicable City fire, zoning, life safety, property maintenance and/or building codes.

(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 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 II

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

PASSED 1st READING: September 25, 2023

PASSED 2nd READING: October 23, 2023

Thomas L. Guidugli Jr., Mayor

ATTEST:

Tiffany Myers, City Clerk